

SALVAGE TIMBER AND FOREST HEALTH—PART I

OVERSIGHT HEARINGS

BEFORE THE

TASK FORCE ON SALVAGE TIMBER AND FOREST HEALTH

OF THE

COMMITTEE ON RESOURCES HOUSE OF REPRESENTATIVES

ONE HUNDRED FOURTH CONGRESS

FIRST SESSION

ON

**THE IMPORTANCE OF SALVAGE TIMBER TO LOCAL
COMMUNITIES, THEIR EXPERIENCES WITH FEDERAL
TIMBER LAWS, AND EXAMINE THE EFFECT THAT
PUBLIC LAW 104-19 HAS HAD ON SALVAGE TIMBER
SALES**

OCTOBER 6, 1995—LEWISTON ID
OCTOBER 21, 1995—REDDING, CA

Serial No. 104-44

Printed for the use of the Committee on Resources



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¹No Minority Members were recommended for appointment to the Task Force by the Ranking Minority Member of the Full Committee. All Minority Members of the Full Committee were notified of each hearing and were welcome to participate.

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SALVAGE TIMBER AND FOREST HEALTH

FRIDAY, OCTOBER 6, 1995

HOUSE OF REPRESENTATIVES, TASK FORCE ON SALVAGE
TIMBER AND FOREST HEALTH, COMMITTEE ON RE-
SOURCES,

Lewiston, ID.

The Task Force met, pursuant to call at 11:03 a.m., in the Elks Lodge, 3444 Country Club Drive, Lewiston, Idaho, Hon. Wes Cooley (Chairman of the Task Force) presiding.

STATEMENT OF THE HONORABLE WES COOLEY, A U.S. REPRESENTATIVE FROM OREGON, AND CHAIRMAN, TASK FORCE ON SALVAGE TIMBER AND FOREST HEALTH

Mr. COOLEY. Before I open my opening statement, I want to tell you a little bit of ground rules. There is a lot of diversity in the people represented here today on both sides of the issue. Both sides have emotional involvement. The Chair will not tolerate any outbursts, nor discussion while the testimony is going on. If you are going to talk, that is fine, but when you do, I want you to leave the room and then come back in in an orderly manner. If you are going to scream and holler, then scream and holler in a way that does not disrupt this meeting. If it gets out of hand, we will have the local law enforcement come out and remove you.

We want to hear this testimony, it is very important on both sides of the issue. This is a very serious situation economically for this area and we want to make it work. But in order to make it work, we all have to respect each other. So please give courtesy to those that are making testimony.

I call to order the Task Force on Salvaging Timber. I am Congressman Wes Cooley, Chairman of the Resource Committee Task Force on Salvaging Timber. I also represent the Second District of Oregon.

Your Congressman, Ms. Helen Chenoweth, who requested this hearing, is also here today. She is a true leader who works so hard to make the emergency timber salvage law a reality. We both want a strong law, but the other body, that is the Senate, insisted on changing the House version of the salvage bill.

Congressman Frank Cremeans of Ohio is another member of the Task Force and is also with us today. He also sits on the Resources Committee with us, which oversees this particular piece of legislation. Frank also is a very strong supporter of our issue in Congress. It is good to have somebody from the midwest who is interested in these important western issues and I thank you, Frank, for coming, I really appreciate it.

Our Committee Chairman, Don Young, created this task force to reach out, travel across the country and hear from those who do not normally get a chance to come to Washington, D.C. to testify in Congress. This is our first Timber Salvage Task Force hearing. We will conduct similar task force hearings in California and I believe it will be Redding, and one in Medford, Oregon, and we are looking for another one down south somewhere.

Our mission today is to learn about the importance of salvage timber to the communities in Idaho. We want to know about your experiences with the Federal timber laws, particularly the new timber salvage law. We want you to be our eyes and ears in Federal forests where you live, work and we hope that you will bring forward examples of where salvage sales are and how they have been brought to the market quickly. We want your assessment of how the new law is working. We want to get a real assessment of this.

I am interested in hearing from all of our diverse witnesses today—workers, timber specialists, the state and local government representatives, and the unique viewpoint of our environmental witnesses. Our staff requested witness recommendations from the environmental community, and we will listen carefully to their testimony.

You will see today that we evenly broke up the witness section with one third for the environmental groups, one third for management and Forest Service and one third for the timber industry. So we are all equally represented.

Every one on the Task Force is for sensible environmental laws that protect healthy resources, but the old law is not working for salvage sales. The 1994 forest fires burned over four million acres of public land. This is not acceptable, and good evidence that those old laws are not working. That is why our Committee, in close cooperation with the Agriculture Committee and the Appropriations Committee took on the salvage timber issue.

We held hearings, drafted a bill and passed it in record time. We had to send the bill to the President twice and we are still trying to get his people to aggressively implement it. This is part of the reason that we are here today. Remember that this went through the appropriations bill and was rejected, went back and the President signed this into law. This is law.

Today, there are 21 billion board feet of salvage timber on Forest Service commercial forest lands. This figure was given to us by Jack Ward Thomas. It is something we did not make up, it is something he came up with. So we feel that there is probably even more than that, but at least that is a credible figure. It rots away while mill after mill in the west is closing due to lack of timber.

Our Committee thought that if an expedient environmental preparation process was available to land managers, more of the dead and dying timber could reach the market. The new salvage law allows such a process. It also protects the salvage sales from any frivolous lawsuits that delay sales while they rot.

We want to hear how this new law is working and what plans our Federal land managers have to use the new authority that Congress has provided to them.

I suspect that not many of the witnesses today have testified before Congress. Our roster includes such working people. In the

past, Congress has heard from lobbyists, bureaucrats and professional environmentalists. Now we seek to listen to those of you who work for a living. What you say can have direct bearing on legislation before our Committee. We will take your experiences back to Washington and share them with our colleagues and we may recommend changes in the current salvage law if we find that it is not working.

We are on a tight timeframe today and we want to give all the witnesses a chance to testify. We ask that the chatter in the background be kept to a minimum. I ask the members and witnesses to respect the light system, which I will explain to you, so we can keep to the schedule. Each witness has five minutes to summarize his statement and the green light means time is running. The yellow light means one minute remaining and when the red comes on, please conclude your remarks. When the entire panel has finished, each member of the Task Force can question the panel for five minutes. We need to keep this schedule, so I am asking the members and the witnesses to respect the light system. Written statements that you include will be part of the official hearing record, which will be held open for ten days for additional testimony. Written testimony must comply with the rules of the Committee. Contact the Committee Clerk for a copy of the written testimony rules.

I will call on Ms. Chenoweth for her opening statement.

**STATEMENT OF THE HONORABLE HELEN CHENOWETH, A U.S.
REPRESENTATIVE FROM IDAHO**

Ms. CHENOWETH. Thank you, Mr. Cooley.

I want to welcome both Congressman Cooley and Congressman Cremeans here to one of my favorite places in Idaho—Lewiston, Idaho. I am so grateful that they would take the time out of their busy schedule of meeting their own constituents and constituent needs to come and help us out here in Lewiston.

I want to thank the outstanding work of the Congressional staffs; my district director here in Lewiston and staff in Washington and staff from Boise. They did an outstanding job. Mr. Cooley's staff has been very, very helpful. And I also want to introduce Floyd Rutherford from Congressman Longley's office from Maine. And Dennis Mitchell from Congressman Nethercutt's office. Congressman Nethercutt is a neighbor of ours and we are very glad he is there. So welcome to all of you and thank you for being here.

One of my highest priorities when I was elected to the Congress was to pass legislation to salvage the dead and dying and burned, diseased, infected and wind-thrown timber that is now rotting in Idaho forests. And after the fires of last summer ravaged western forests, I had several western colleagues forge the basis for legislation which was included in the fiscal year 1995 emergency supplemental appropriations and rescissions bill. Many of you who work in the forests are well aware of the administration's efforts to thwart the Congressional process, and that is why we are here today. This abuse of Federal power prompted Congressman Don Young, Chairman of the House Resources Committee, to charge Mr. Cooley, myself and other members of the Timber Salvage Task Force with ensuring that the timber salvage provisions of Public

Law 104-19, the fiscal year 1995 rescissions bill, are implemented expeditiously and in accordance with the law.

I would like to share Chairman Young's exact words in creating this task force, as announced in the House of Representatives on September 13, and I quote the Chairman, "Now, my charge to Mr. Cooley and Ms. Chenoweth primarily is to hound those agency people to make sure they understand that if we cannot win this battle this year, they shall not have the revenues to conduct their business next year because this is inappropriate, and I think unconstitutional. Now the agencies may argue they can do this and that will remain to be seen as to what happens."

Mr. Young does not mince words, does he? Nor should he. Because what has happened after the passage of the timber salvage provisions is a blatant attempt to circumvent the law. It is contemptuous, it is unconstitutional. The administration signed the law—the bill into law and then went to work to unravel it. The unraveling began when the President first vetoed our legislation, and during the post-veto negotiations with the White House, several changes were made to the bill to accede to the administration's demands. These changes prompted a June 29, 1995 letter from President Clinton to Speaker Gingrich. The President stated, "I want to make it clear that my administration will carry out the program of timber salvage with its full resources and a strong commitment to achieving the goals of this program." That is the type of commitment Idaho communities deserve. But one month later, the President abandoned his commitment. After passage of the bill and after receiving many concessions from Congress, the President then issued a memorandum to the land management agencies on August 1, in which he stated and I quote, "I do not support every provision of the rescission bill, and most particularly the provisions concerning timber salvage."

To add further insult to injury, the President directed the Secretaries of Agriculture, Interior, Commerce and the Administrator of the EPA to enter into a memorandum of agreement. This memorandum of agreement outlined the bureaucratic process that is nothing more than a smoke screen to prevent the agencies from harvesting timber. Let me make this very clear. Congress mandated a harvest of salvage timber and the White House has said "sorry, no deal."

The Thunderbolt sale on the Boise and Payette National Forests is an example of bureaucracy run amok. While the Forest Service has been ready to offer this sale of burned timber for five months, the MOA has essentially stopped it cold. After extensive efforts to modify the sale to please other agencies, the National Marine Fisheries Service has refused to sign off. Congress never envisioned an agency charged with monitoring commercial fishing dictating policy in forest lands. The National Marine Fisheries Service has a chokehold on Idaho's natural resources and I will not let that stand.

To the officials in the Forest Service here today who have made aggressive attempts to put up salvage sales, I respect your efforts. I recognize that in many cases your policies are subject to the whims of agencies dictating forest policy under the guise of the Endangered Species Act. But as managers of the Forest Service, you

must not abandon your responsibility and the public trust to carry out the mandates of the National Forest Management Act, the Multiple Use Sustained Yield Act and the Resource Planning Act. Idaho is blessed with an abundance of renewable resources and it is time to put those resources back to work sustaining families, jobs and communities.

To the timber workers and timber families here today, I want you to know that I will take the charge to Chairman Young very seriously. The west was not settled by faint hearted and wimpy people, and we will not give up our western way of life easily and without a fight.

To those who believe that non-management of forests is healthy, I challenge you to explain to this Task Force how a river that runs brown with mud is a good environment for spawning salmon and how soils that are charred from fire are good for vegetation and reforestation, and why the safety of human life should be jeopardized by maintaining this tinder box in the forests.

The information we learn here today will enable us to tell our Chairman whether we are getting the timber out of the forests and we will continue persisting with the administration until our goals are met. This Representative will not back down until I am secure in knowing that my President and my government are upholding the Constitution of the United States.

Thank you, Mr. Chairman, and I do also want to recognize Susan Fagan here from Senator Craig's office, and Carolyn Durant from Senator Kempthorne's office. And I also want to give a hearty thanks to the staff from the Committee who have worked so hard to pull this off.

Thank you.

Mr. COOLEY. Thank you very much, Helen.

Susan Fagan, did you want to make a statement?

Ms. FAGAN. Yes.

Mr. COOLEY. Also, if we could get Dennis Mitchell up here too. And Floyd Rutherford, did you want to make a statement?

Mr. RUTHERFORD. No.

I will recognize Mr. Rutherford from Congressman Longley's office, thank you for coming.

We will let the lady go first.

STATEMENT OF HON. LARRY CRAIG, A U.S. SENATOR FROM IDAHO, AS PRESENTED BY SUSAN FAGAN

Ms. FAGAN. Thank you. I will be reading a brief statement on behalf of Senator Craig, and my name is—

Mr. COOLEY. Can you move the microphone a little closer?

Ms. FAGAN. Closer?

Mr. COOLEY. I do not think it is on.

Ms. FAGAN. How is that, better? There it is. OK. I will be reading this statement on behalf of Senator Craig.

I thank Congresswoman Chenoweth and the other members of the Salvage Task Force for inviting my testimony today.

Frankly, I am fed up with the shackles this administration has placed on the Forest Service to prevent timely and efficient timber salvage sales. Since Chief Thomas announced the Western Forest Health Initiative at the hearing I held in Boise on August 29, 1994,

those higher up have done everything possible to prevent its implementation.

Earlier this year, Congress passed Section 2001 of the 1995 Appropriations Rescissions Bill to enact emergency salvage procedures. That became necessary as an aftermath of the devastating 1994 wildfires which burned millions of acres of timber throughout the west. Regarding Section 2001, Congressional intent was clear—the Forest Service and the BLM were to act swiftly to salvage billions of board feet of timber and to restore and replant as much of the burned area as possible.

The administration has never gotten the message. First, the President vetoed the bill. But on July 27, 1995, he signed the second version into law. Let me repeat—it is now the law of the land, Public Law 104-19. This law gives the Secretaries of Agriculture and Interior sole discretion to carry out salvage sales—meaning go do it, you do not need to ask anyone else how.

Did the Secretaries issue immediate direction to the field to move on salvage sales? No. Instead, they convened a new bureaucracy. They called in the National Marine Fisheries Service from the Department of Commerce, the Environmental Protection Agency, the Council on Environmental Quality and the Fish and Wildlife Service to help the Forest Service and the BLM plan salvage sales. Incredibly, Assistant Secretary of Agriculture, Jim Lyons, in his testimony to my Subcommittee on August 10, had the audacity to claim that all these agencies have joint responsibility for planning salvage sales. Congress has never decreed any such thing—just the opposite. In Section 2001, Congress gave the Secretaries sole discretion to act, and instead, they used their sole discretion to further delay salvage sales.

Bringing all these agencies together is like putting cats in a bag. These agencies cannot even agree when they have agreed to agree on something. After a month of delay, while the field troops waited for direction, the heads of these agencies all signed a memorandum of understanding to tell the world how wonderfully they would cooperate to sell salvage sales. One month later, in the case of the Thunderbolt salvage EIS, they were already violating their MOA and causing further delays.

Clause 5 of the MOA says that in cases where agency personnel in the field cannot agree on implementing Public Law 104-19, the dispute will be elevated to the heads of the agencies. Clause 5 says they will make a binding decision within 14 days of receiving notice of the disagreement. Notice was made to Washington, D.C. on September 11 in writing. Fourteen days have passed. In fact, 25 days have passed, and still no decision.

The story of the Thunderbolt EIS is the story of this administration's true intentions regarding salvage sales. They steadfastly resist doing anything. The Boise and Payette Forests were prepared to issue a Record of Decision on Thunderbolt and offer salvage sales last May, but ever since they have been stifled by the contradictory objectives of those other agencies which have been magnanimously awarded joint responsibility by Assistant Secretary Lyons. While this delay has played out, the Forest Service has been forced to downgrade the volume of salvageable timber in Thunderbolt from about 45 million board feet to 15 million board feet. No

salvage sale receipts will be available to accomplish the watershed restoration measures originally planned as part of the project.

We are in a bind all right. In the time since the agency heads signed the MOA, three more sawmills in Idaho have found themselves in enough of a bind to go out of business. These are most certainly binding decisions for working men and women who depended on this segment of the local economy to sustain their families.

Congresswoman Chenoweth, I hope through this hearing that you and the other members of the Task Force can put the bind on the administration to sell the volume of salvage they said they could do during deliberations on the rescissions bill. It is obvious they will need constant prodding and close scrutiny.

On November 9, I will be holding a second hearing with the administration on progress or lack of it, in accomplishing emergency salvage under Section 2001. This will be a 100 days hearing, 100 days since the President signed Section 2001 into law. With the help of the Timber Salvage Task Force, perhaps we can see some progress being made.

Thank you.

Mr. COOLEY. Thank you, Ms. Fagan. I want to say that I appreciate the support that Senator Craig has given us.

Mr. Mitchell.

STATEMENT OF DENNIS MITCHELL, OFFICE OF HON. GEORGE NETHERCUTT, JR., A U.S. REPRESENTATIVE FROM WASHINGTON

Mr. MITCHELL. Good morning and thank you for the opportunity to be here.

Congressman Nethercutt apologizes that he was not able to be here himself and has asked that I thank the members and the Committee for their hard work and dedication in making this hearing possible. I know the Congressman is very proud of his work with the timber salvage amendment and he looks forward to seeing some timber harvested and healthier forests and economic communities in rural America.

Thank you.

Mr. COOLEY. Thank you very much. Tell George when you see him, hi for me, will you?

Mr. MITCHELL. I will.

Mr. COOLEY. Thank you very much, I appreciate your testimony.

Will the first panel please come up—Mr. Bliss, Hughes, Mitchell, Pluid, Wilson and Harrington.

Mr. Zaleha.

Mr. ZALEHA. Zaleha.

Mr. COOLEY. Zaleha, you are substituting for Ron Mitchell?

Mr. ZALEHA. Correct.

Mr. COOLEY. Thank you. Let the record show that. Mr. Bliss, you have five minutes.

STATEMENT OF STEVE BLISS, HORSESHOE BEND, IDAHO

Mr. BLISS. Mr. Chairman, I have submitted some pictures for the record. I hope that you have received those.

Mr. Chairman and members of the Committee, my name is Steve Bliss, I work at the Boise Cascade sawmill in Horseshoe Bend, Idaho. I am a member of the Northwest Timber Workers Resource Council and I also represent the Pulp and Paper Workers Resource Council.

I am here today with concerns about the salvage of burned, dead timber on the Payette National Forest. As you may be aware, last year about 300,000 acres of the land of the Payette Forest were ravaged by wildfire. Much of the land burned last year was part of the suited land for timber harvest that was supposed to provide for our future supply of timber. Well over one billion board feet of timber burned in 1994 on the Payette, while within 100 miles of these fires, in Council and Grangeville, sawmills shut down because of lack of timber.

Common sense would seem to say let us get in there and salvage the timber as soon as the fires were out, while it still has value. The Forest Service, industry and environmental leaders met on the ground soon after the fires. Industry pointed out the opportunity to put up some small sales of under one million board feet on flat roaded areas immediately, by using a simple EA and a small sale exclusion against appeal. Environmental leaders from the Sierra Club and the Idaho Conservation League and other organizations agreed they could support winter logging in areas like these. In spite of this common sense agreement, the Forest Service did nothing, and the once valuable wood rots on the stump.

The state, on the other hand, who has land intermingled with the Forest Service in this area, were on the ground marking trees while the ground was still smoking from the fires. Consequently, the state sales were on the market early this spring, creating money for the school endowment, creating jobs and being made into products for the American public.

I am the relief sawyer at the mill in Horseshoe Bend, and I see clearly the lost value of the logs off the 1994 fires. We started cutting logs off the fires on the Boise Forest in early July. These logs were in good shape with little deterioration. But in the last three months, we have seen a 30 to 40 percent loss in many of these logs due to checking, blueing and rot.

Now remember the Payette Forest never even offered a salvage sale until the middle of September, for which they received no bids. My company did not bid. As a timber worker, I wanted to know why this sale did not sell, so last week I toured the Fall Creek timber sale and found most of the trees split, some almost to the center of the tree with the bark already slipping on many. These trees are no longer any good for making lumber or plywood. Some may be used for house logs or pulp, but not at the minimum bid price set by the Forest Service.

I am sure the Payette National Forest staff will say the reason they are being so slow is the consultation process with the National Marine Fisheries Service, and I am sure this is partially true. The Payette Forest and the Boise Forest proposed to harvest salvage timber in the south fork of the Salmon River, with all excess monies going to projects to improve salmon spawning habitat, projects that would not be done without the money from these sales. A full EIS was done, the Idaho Department of Environmental Quality

signed off on the project, but we still have no decision because the Forest Service cannot get the go-ahead on this sale or any sales in the Salmon River drainage from the National Marine Fisheries Services. This is outrageous to me as an Idahoan, because there are a lot of valuable pine logs in the South Fork that should be making jobs and products for citizens of this country, and providing dollars for improving the habitat for our endangered salmon.

These agencies have hurt the salmon and trout in Idaho by not using logging to prevent these fires to begin with and are now standing by watching burned hillsides slide into our creeks and rivers while Federal agencies debate removing burned trees half a mile above the nearest stream. The real sad part of this debate is, the Payette Forest only plans to harvest at the most about 10 percent of what burned, totally ignoring the other 90 percent.

In conclusion, we are not asking the government to ignore environmental considerations, but no action, and different Federal agencies handcuffing each other so they can make political deals, while fire killed timber rots on the stump is inexcusable.

Congress has passed and the President has signed the salvage legislation. Do the right thing for Idaho and the Nation by getting this salvage timber out of the forest before there is nothing left for us to fight over.

I would like to thank the Committee for allowing me to express my concerns.

Mr. COOLEY. Mr. Phil Hughes.

STATEMENT OF PHIL HUGHES, LEWISTON, IDAHO

Mr. PHIL HUGHES. Mr. Chairman, honored Committee members, my name is Phil Hughes. I am a member of the International Brotherhood of Electrical Workers, Local 73, and I have worked in the wood products industry for the past 12 years. I am also a member of the Resource Organization on Timber Supply. On behalf of them and myself, it is my honor and pleasure to welcome you to Lewiston, Idaho for this hearing on issues associated with timber salvage on public lands. I hope you enjoy your visit to this great state as much as we enjoy living here.

To be sure, there are many issues on timber salvage. I will attempt to cover only a few of them. My testimony will likely be different than many others that you hear today because we have some opportunities that others may not. We have not yet had the catastrophic wildfires that other forest have suffered recently. This means, if we do the salvage mandated by the salvage bill, we could eliminate much of the wildfire risk that faces us today.

We know there is extensive mortality on public lands. With the lack of fuels management, we know we have increased fuel loading. This increase of fuel loading puts public lands at risk of catastrophic wildfire. Timber salvage is not just cleaning up the mess after wildfires, but it also is reducing fuel loadings to prevent such wildfires from happening. This preventive management also helps to provide food and shelter for wildlife and jobs and income to local communities.

Timber salvage could and should be used more to manage public lands. Salvage opportunities exist almost everywhere you look. The level of mortality on public lands administered by the USDA Forest

Service on the Clearwater and Nez Perce National Forests near Lewiston is several hundred million board feet annually on the suitable land base alone. However, this requires a little more explanation.

One of the issues that faces us associated with any program to salvage timber is access. Many of the salvage opportunities are in currently unroaded areas, determined by the forest plan to be suitable for timber production. Until these areas are accessed and brought under management there will always be this high level of mortality. Although I ask you, what is the alternative to responsibly managing these lands? Responsibly burning them?

Another issue is the salvage opportunities themselves. It is too late in some cases to salvage some areas without traditional regeneration harvest prescriptions. And other areas may need adaptive management prescriptions never before tested.

If you refer to Table 1, then realize expected mortality on the Nez Perce National Forest, for example, is approximately 300 million board feet per year on the suitable land base. Over the next three year period, expected mortality is 900 million board feet with projected salvage at only 18 million board feet. That leaves 882 million board feet of dead and dying timber on the forest. What is going to happen to these fuels if we do not manage them? I hope we do not have to look forward to wildfires like the ones that have ravaged many of the other forests.

To date, attempts at salvage have been feeble at best. Study the issues of access and salvage opportunities and look again at that table. Honored members of the Committee on Resources, are the issues associated with timber salvage on public lands adequately being addressed? I do not believe they are.

Please help us to keep this great northwest by getting this salvage program moving, getting the fuel buildup back down to normal, acceptable levels, and making our forests better for everyone. That includes wildlife and people.

In conclusion, I would like to thank you again for the opportunity to testify at this hearing today.

[The table with Mr. Hughes' statement may be found at end of hearing.]

Mr. COOLEY. Mr. Zaleha.

STATEMENT OF BERNARD ZALEHA, IDAHO SPORTING CONGRESS, BOISE, IDAHO

Mr. ZALEHA. Thank you, Committee members, for the opportunity to testify on behalf of the Idaho Sporting Congress and our members, on salvage logging issues. My name is Bernard Zaleha, I am counsel for the Sporting Congress, and on this particular panel, I guess the dissenting voice. Salvage logging is of paramount concern to Idaho hunters and anglers because it is causing tremendous destruction to both Idahoans' traditional lifestyle and our economy.

The so-called forest health crisis used to justify massive salvage logging under the "logging without laws" salvage rider, is a hoax. It is a scam calculatedly perpetrated by logging corporations to unleash one last great green gold rush of logging America's last great forests before the supply of big trees runs out.

Testimony by Dr. Art Partridge this spring confirmed that insect and disease levels in northwest national forests are just the opposite of epidemic. Quoting, "Currently, both disease and insect activity in our inland northwestern forests are at their lowest levels in our 30 years of scientific recordkeeping."

And the Forest Service itself confirms Dr. Partridge in information withheld from Congress this spring, when the salvage rider was being considered. Their nationwide forest health assessment, "Timber Resources of the United States," by W.B. Smith, confirms that mortality from all sources is about one half of one percent, about what it has been for 40 years.

The hoax began with a memo from Forest Chief Dale Robertson in about 1989, directing employees to use diseased trees as a scare tactic to keep the timber cut up. A 1992 memo that I have attached to our testimony from the Malheur Forest is typical of Forest Service perpetuation of this deception. It states, "...virtually every sale should include salvage in the name. Perk said that even if a sale is totally green, as long as one board foot comes off what would qualify as salvage on the Salvage Sale Fund Plan, it should be called salvage. It is a political thing."

Indeed it is. The creation of a phony forest health crisis by corporations and the Forest Service was the first punch of a three-punch knockout combination for America's public forest. The second punch was to eliminate all public legal control through the rescissions rider. The final blow is to log like hell before the public can fight back.

For Idaho's hunters and anglers, the third punch has already proved lethal. Disaster that matches the catastrophic 1965 landslide destruction of the south fork of the Salmon River by Boise Cascade Corporation and the Forest Service has been repeated. Logging mud from Boise Cascade and Forest Service logging has destroyed over two-thirds of the bull trout habitat in the north fork of the Boise, Bear River and Crooked River. The public is barred from hunting and fishing in this popular area while Boise Cascade continues their destruction, even as we speak.

The corporations and the Forest Service covered up the disaster until they were forced to confess last Friday in Federal District Court in Boise.

This disaster in 1995, the south fork Salmon disaster in 1965 and the Foothills debacle of 1993 occurred, basically because private corporations and their servant, the Forest Service, are not in the business of protecting forests, but of logging, period.

This Committee should take note that the Boise River disaster in particular occurred because it was patterned on the Forest Service's horribly flawed National Salvage Logging Model, the Foothills Project. As you know, that project was an orgy of lawbreaking by corporations and collusion and incompetence by the Forest Service, involving over 2200 violations of law.

Congressman Bruce Vento of this Committee called for an investigation—a call that I might add was ignored. I have attached Congressman Vento's letter to my testimony. Without pressure from other members of this Committee, the Agriculture Department Inspector General's Office and Forest Service have covered up the Foothills debacle. Therefore, members of this Committee bear di-

rect responsibility for the Boise River disaster. The same culpable, irresponsible people should never have been allowed to apply the same methods and lawbreaking to the Boise River project.

If this Task Force is anything other than a political gimmick, you should fully investigate the Foothills disaster, because it is the model for future salvage sales on the Payette Forest and elsewhere. There is no excuse.

Salvage logging as currently done should be banned on the public forests. We concur wholeheartedly with the five scientists who recently wrote to President Clinton, "We know of no scientific reason to engage in salvage logging or roadbuilding in burned areas and we know of many sound reasons not to. Logging produces no known benefits to streams and entails very serious risks."

Those risks were recklessly and tragically taken in the Foothills and Boise River projects, and Idaho's sportsmen, our children's outdoor heritage and the recreation-tourism industry is paying the price. Idaho's citizens have been forced by Congress to subsidize the Boise River destruction and now we will have to pay for restoration attempts as well.

It is time to end corporate welfare logging destruction of our public forests, to rescind the "logging without laws" rider and transfer Teddy Roosevelt's National Forest System from the multinational corporations and back to the American people.

Thank you.

[The letter with statement of Mr. Zaleha may be found at end of hearing.]

Mr. COOLEY. Ms. Pluid.

STATEMENT OF INA PLUID, BONNERS FERRY, IDAHO

Ms. PLUID. Members of the Timber Salvage Task Force, ladies and gentlemen, my name is Ina Pluid. I have lived the last 50 years of my life in Boundary County. In 1944, my father purchased 160 acres. He cut and peeled poles and hewed railroad ties. Later, he purchased a small sawmill and he sawed railroad ties and cut 2X4 studs. Most of the timber he used came from his property. For 39 years, I have been married to a third generation logger. He has worked 45 years as an independent logging contractor. Today, we are co-owners in a business that manufactures 100 percent wood fire logs. Bob works there during the winter and during the last two summers, he has been logging on my father's original property. I mention this because my father died in 1956. The wood lot has been left untouched for 40 years, not the usual 70 or 80 often thought of as renewal time following harvest. But most of the trees on this wood lot are past their prime, a lot of them are diseased. They are salvage. I think this illustrates that salvage should be a continual process to maintain forest health.

We have witnessed the Forest Service changing from an agency focused on providing wood products for our citizens to an agency obsessed with studies and paralyzed with fear.

Historically, forest management has often been the result of fire and fire suppression. The Forest Service has become very good at that. At the same time, timber harvest has dropped dramatically. On our local district it has dropped from 40 million board feet in 1990 to 15.6 million board feet in 1994, and that 15.6 million board

feet figure represented 90 percent of the entire Panhandle Forest target. Our forests have become over-aged and are under severe attack from disease, suffering from drought and are in the process of dying.

Sustainable forestry is a new buzzword in forestry circles. By Webster's definition, sustainable means "to maintain, render aid, to keep alive, support . . ." This in itself implies management. This does not mean to lock it up and let Mother Nature take her course. If I locked up my children and left them unattended, I would be charged with abuse. I could lose my children. What kind of a mother would I be if I left a sliver in a child's hand until the hand needed amputated, or left a bleeding wound unattended until the child died? I feel the Forest Service's inaction is resulting in the same type of abuse and neglect to our national forests.

Logging does have some impact on soils and watersheds. Intensely hot fires have very negative impacts—sterilizing and sealing the soils, destroying the wildlife and their habitats. Logging is controlled, catastrophe is not.

Mortality on the Panhandle National Forest is 200 million board feet annually. The allowable cut this fiscal year was 40 million board feet. I am told the growth rate on the same forest is 800 million board feet.

It is true that the agency has received mixed messages for the last few years. But this salvage legislation requires strong leadership from the top down. This was the message that was expressed by all the agency people I talked to, even those who are retired. Another comment I received was, "Every time someone tries to figure out why something is not working, they never come to the people in the field." The people in the Bonners Ferry District feel that they could easily harvest an additional 20 million board feet in salvage annually, without new roads or required documentation. Their supervisor has requested only an additional 10 million board feet for the entire Panhandle Forest. They are frustrated and have strong feelings of lack of leadership from their supervisor's office, especially after reading the correspondence from the regional office stating the "Effective implementation of the provisions of this law according to the intent of Congress and the Administration is the top priority in the Northern Region . . ." All this is to be done by December, 1996. The clock is ticking and "time's a wastin'." Their frustration is reflected in a survey done by North Idaho College of all the Idaho Panhandle National Forest employees. I have attached a letter regarding that study.

Our communities need your salvage legislation implemented. Our forests need your salvage legislation implemented.

The Forest Service needs strong leadership from the top down! I would suggest that each level of the Forest Service be held accountable to make sure this legislation is put into action—and soon!

Thank you.

[The statement of Ms. Fluid may be found at end of hearing.]

Mr. COOLEY. Mr. Wilson.

STATEMENT OF JAMES WILSON, CHAIRMAN, CLEARWATER COUNTY COMMISSIONERS

Mr. WILSON. I wish to thank the U.S. House of Representatives Committee on Resources Task Force for holding this field hearing concerning timber salvage legislation, Public Law 104-19.

I am Jim Wilson, Chairman of the Clearwater County Commissioners, and I am a Democrat. It is important that you remember that as you hear my comments.

The timber salvage bill as written is a good and necessary piece of legislation. One only has to go into our forests to see that passive management will not work. There are large areas containing dead, dying and diseased trees that for forest health reasons need to be removed in a manner that helps protect the environmental integrity of the forest. The U.S. Forest Service which is, I think, still an agency under USDA, has the trained professionals to accomplish the tasks outlined in Public Law 104-19. Failure to aggressively attack our forest health problems will result in more environmentally damaging harvests conducted by Mother Nature. To understand this, one only has to look at the damage caused to the land and stream habitat by the Boise and Payette fires. Some will say that these devastating fires occurred because fire had been removed from the ecosystem. This is not entirely true, or the only reason. Passive or non-management had also been practiced. The only option to protect our forests and streams is aggressive management of our forested lands. I would like any of the Committee members of the staff to view an area burned by Mother Nature's management seven years ago—Yellowstone, for example—or an area managed by a good forest professional whose harvest occurred seven years ago.

Through aggressive management, the long-term health of the forest and the environment is protected, needed products are produced as well as jobs for our citizens. Products produced from our forests are renewable, recyclable and bio-degradable, using the sun's energy for renewal. This should make our forest products the products of choice to those concerned about the environment.

You will hear others talk about the balance of nature and that Mother Nature is a benevolent mistress. The balance of nature is in fact a teeter-totter, the only real balance occurring with good management. Mother Nature is a mistress that suffers from recurring bouts of PMS and good management is the Midol we provide.

In all families, as Mr. Gore, the Vice President, can attest, actions of certain members can cause embarrassment. This is my case with certain members of the administration and the signing of a memorandum of agreement on timber salvage.

I believe this agreement is an attempt by Bruce Babbitt and his bandits to not only reduce salvage harvest, but to gain control of the USDA's Forest Service. This fits in with this continuing war on the west and our resource management. This agreement gives the Department of Interior a majority say in how our forest reserves are managed. I do not believe that this was the intent of Public Law 104-19, or has it ever been the intent or policy of Congress.

This administration seems intent on controlling the water and land so they can control the people. They fit with Mr. Webster's warning when he said, "In all times there are men who mean to

govern well, but they mean to govern. They mean to be good masters, but they mean to be masters."

The forest reserves were not set aside for parks or wilderness, but rather to provide products from those lands over time.

A great conservationist said it better than I can when he addressed the Society of American Foresters in 1903. "And now first and foremost, you can never afford to forget for one moment what is the object of our forest policy. That object is not to preserve forests because they are beautiful, though that is good in itself, nor because they are refuges for the wild creatures of the wilderness, though that, too, is good in itself; but the primary object of our forest policy, as of the land policy of the United States, is the making of prosperous homes. It is part of the traditional policy of home making in our country. Every other consideration comes as secondary.... You yourselves have got to keep this practical object before your minds, to remember that a forest which contributes nothing to the wealth, progress or safety of the country is of no interest to the government and should be of little interest to the forester." That famous conservationist was President Theodore Roosevelt.

I recently had the good fortune to take a tour of a portion of the Clearwater National Forest to gain an understanding of how they are attempting to implement Public Law 104-19. They are excited about the opportunity to get out of the office doing paperwork to satisfy appeals and getting back to their profession of managing our forest reserves.

I believe that their ability to manage the forest reserves can be stunted or sidetracked by the August 9 memorandum of agreement. It will take strong leadership on the forest and in the Congress to make sure that the legislative intent of Public Law 104-19 is achieved. I believe that we have the leadership on the Clearwater National Forest and now Congress must do their part in making sure the administration achieves legislative intent.

I thank you for this opportunity.

Mr. COOLEY. Thank you, Mr. Commissioner. Ron.

STATEMENT OF RON HARRINGTON, NORTH WEST TIMBER WORKERS RESOURCE COUNCIL

Mr. HARRINGTON. Mr. Chairman, I submitted some pictures for part of my testimony and I also have some slides over on that screen when it comes up.

Mr. Chairman and members of the Committee, my name is Ron Harrington, I am a member of the North West Timber Workers Resource Council, and I would like to say thanks for the opportunity to testify in front of you today.

I have worked for the timber industry most of my working life and I have been very active in natural resource issues.

My testimony today will be on the Boise National Forest in relation to the salvage amendment bill and the rescission bill. My testimony may be a little bit different from others you will hear today.

First, I want to congratulate the Boise National Forest for the efforts made to improve the health of the forest since 1991. They have taken the lead to try and solve the forest health problem. Boise National Forest professionals continued this process even

after the forest's leader and supervisor, Steve Mealey, was re-assigned to other duties.

The Boise National Forest has developed a strategy which calls for salvaging dead and dying trees, thinning overstocked green stands, some prescribed burning, and working with other timber managers, scientists and interested parties to solve the long-term health problems.

It is just too bad that the Boise and other national forests did not act sooner. Maybe we could have saved some of our forests from these terrible wildfires that we have been experiencing the last few years.

For example, the Foothills fire in 1992 destroyed 260,000 acres of the Boise National Forest. Besides destroying millions of board feet of timber, it destroyed wildlife, their habitats, livestock and entire trout populations including sensitive bulltrout.

I want to show you an example, by using slides, of preventing catastrophic fire impact by utilizing sound forestry practices. In 1990, there was a timber sale called Smith Creek in the Tiger Creek drainage of the Boise National Forest. This sale was selectively logged, mostly by helicopter. There was also some thinning followed by prescribed burning. When the 1992 Foothills fire raced up Tiger Creek it burned everything in its path except the area logged in the Smith Creek sale. This green health stand of trees which survived the fire illustrates both the opportunities available and the problem posed by excess fuel in unmanaged stands.

Another example of what happens in uncontrolled wildfires is the aftermath of the 1994 fires which started around Idaho City on the Boise National Forest. When these fires were finally put out, they had burned approximately 185,000 acres. These fires were called the Idaho City Complex fires and were exceptionally destructive.

In the summer of 1995, a cloudburst hit the north fork of the Boise River drainage, an area which was severely burned in the Idaho City blazes. This common rainstorm washed over barren hill-sides and resulted in millions of tons of sediment and debris cascading down into Trapper Creek, Wren Creek and other streams and ending up in the main river. This huge mud flow off the burned slopes actually dammed the river and caused the waterway to change its course, which wiped out about a mile and a half of public roadway. It also destroyed the trout fishery in the river and the Department of Fish and Game biologists do not think that there will be any wild bulltrout or hatchery rainbow for at least two years. I think they are very overly optimistic. This likely could have been avoided if we could have reduced some of the fuel load in these drainages to treat diseased stands and by thinning these timber stands prior to the fire with salvage logging.

Although the Boise National Forest should be commended for their action to salvage log the burned timber, millions of dollars of burned merchantable timber will be left standing on the Boise after the fire salvage logging is completed. On a forest that is littered with dead trees, it is crazy to leave so many snags and dead trees unlogged. Our Federal Government, our county governments and workers like myself cannot afford to throw public resources down the drain by leaving huge volumes of dead usable timber unharvested.

Consider the benefits that salvage logging can provide if properly implemented.

1. Salvage logging, if done carefully, can improve watershed conditions on the national forest lands, according to a recent study done by the Forest Service.

2. Salvage logging can actually help forest health by reducing fuel loads and curtailing the spread of insects and disease.

3. Salvage logging can provide thousands of jobs and millions of dollars in local funding for schools and roads.

4. Salvage logging can supply the raw material to meet America's needs for renewable, recyclable and energy efficient wood products.

5. Salvage logging is vital to the economic well-being of hundreds of communities out here in the west.

In conclusion, I do not understand the administration dragging their feet on such an important piece of legislation.

I hope you can change the government's course in the near future, and once again I thank you for letting me testify today.

Mr. COOLEY. Thank you, Mr. Harrington.

We will have an opportunity now for the panel to question the panel. We will begin with Ms. Chenoweth.

Ms. CHENOWETH. I want to thank Jim Wilson for his very colorful testimony.

[Laughter.]

Ms. CHENOWETH. But I can expect it from Jim.

Ina Pluid, you made reference to a survey that was done in the North Idaho College.

Ms. PLUID. Yes.

Ms. CHENOWETH. Can you give me some idea about what that survey turned up?

Ms. PLUID. Well, the survey results are—it showed a dramatic frustration with the Idaho Panhandle Forest employees.

Ms. CHENOWETH. You mean on the part of the employees?

Ms. PLUID. On the part of the employees. The Forest Service hired the college to do these surveys, and it has not been released to all the employees yet, because part of them feel that it is because it is so negative, that possibly they are trying to clean it up. I do not know about that. But the employees are very frustrated.

With the reorganization that came through, the new reorganization of the Forest Service, in our district, Bonners Ferry District has lost their marking crew. Their engineering funds were cut 100 percent. They need those engineering funds to design the roads and sales. The resource clerks used to be in the local district office. Now they are in Coeur d'Alene. Our office turns in their paper and it sits down there for weeks before it even comes back.

With the new hiring limits, that is a problem and the fact that the people that are qualified to prepare the sales, a lot of them are gone, and the people that are qualified to do the sales are out on the current sales being designed, marking trees. They are not in the office or doing something else. There are two of those in the district.

Ms. CHENOWETH. Interesting. Well, I thank you for bringing that out and, you know, you have to commend the Forest Service for having the college do this kind of a survey to see where their employees' attitudes are.

Ms. PLUID. And when you pay an E-9 to go mark a tree sale when an E-3 could do it, that is not cost efficient at all.

Ms. CHENOWETH. Steve Bliss, you mentioned that—no, it was Phil—Phil Hughes, you mentioned that in the Clearwater National Forest there are less forest fires, less devastation, and I think you said, “We have not yet had the catastrophic wildfires that other forests have suffered recently.” Can you give me an idea why?

Mr. PHIL HUGHES. I do not know why that happened, I can check into that and get an answer to you.

Ms. CHENOWETH. Is the Clearwater Forest protected by the CPTPA organization?

Mr. WILSON. Congresswoman, I can answer that. No, they are not. The Forest Service provides their own firefighting on the Clearwater National Forest other than in a small area that they contract to CT down in the canyon area, and it is very small. CT is a good demonstration organization on how to fight the fires.

Ms. CHENOWETH. Jim, as long as I have your attention, how many million board feet of timber mature on the Clearwater Forest each year?

Mr. WILSON. Right at 400 million is the figures I have heard. I have heard figures as high as 325 million sustainable harvest off the Clearwater from former Forest Service timber staff. The figure has come down to 280 million under the current staff, is the sustainable amount off the Clearwater.

Ms. CHENOWETH. And we harvested how much timber last year?

Mr. WILSON. It varies with who you talk to, but approximately 30 million total salvage and green.

Ms. CHENOWETH. So what happens to the 90 percent that is not logged? I mean, is that not adding to the fuel load?

Mr. WILSON. It very definitely is. There is a forest health problem occurring on the Clearwater from bugs, disease and blister rust in our white pine. The mortality on the Clearwater is about 80 million annually. So we need to get in there and actively go after this problem. We also need to enter the unroaded areas to prevent a return of the 1910 fires that make all these other fires look like little campfires. We had three million acres burn in northern Idaho in two days in 1910 on an unmanaged forest—unmanaged by man. It was managed by Mother Nature. Like I say, she had PMS at the time.

[Laughter.]

Ms. CHENOWETH. I caught that.

Thank you, Mr. Chairman.

Mr. COOLEY. Mr. Cremeans.

Mr. CREMEANS. Yes. Mr. Zaleha, curiously, are there any forest timber sales that you have publicly supported?

Mr. ZALEHA. Not that I am aware of, that we have publicly supported. We have actively opposed some and we have chosen not to oppose some. You know, we try to—being a small organization with a limited budget, you know, we do have to try to save our resources for the most egregious abuses and so—I do not know if that answers your question.

Mr. CREMEANS. Let me ask you, are you a native of the state?

Mr. ZALEHA. I am not a native. Our Executive Director—

Mr. CREMEANS. You are not a native?

Mr. ZALEHA. I am not. Our Executive Director is.

Mr. CREMEANS. You have resided here for—

Mr. ZALEHA. I have resided here for six years.

Mr. CREMEANS. Six years. In your testimony, you said it is a scam calculatedly perpetrated by logging corporations and members of Congress. I guess that includes us.

Mr. ZALEHA. If you are advancing the proposition that the forests are in desperate health crisis that needs salvage logging, then yes.

Mr. CREMEANS. OK. Now I am from Ohio.

Mr. ZALEHA. I understand that.

Mr. CREMEANS. This entire series of hearings has been insightful to me. I wonder when I go over some of the questions and some of the comments that you have expressed and with your view of, you know, the timber management here in Idaho, how does someone like say Jim Wilson fit into your position?

Mr. ZALEHA. Our position is that the logging should only be done when it can be done in a way that does not damage the long-term ability of Idahoans to enjoy outdoor recreational activities of hunting and angling. That is our primary focus. And that to the extent that the logging sales cannot be done consistent with that objective, it should not be done. And that is our position and we do not apologize for it or back away from it.

Mr. CREMEANS. You know, I have been coming here to this state since 1966 and since 1980 on a reasonably regular basis. And this may be a generalization, but many of the people who represent your particular version and your view of the future of the logging industry come from many times outside the state. Would you say that is a very candid or invalid comment?

Mr. ZALEHA. Especially from my organization, it is very invalid. You know, my organization happens to have retained a counsel that is from out of state, namely myself. However, Mr. Mitchell is a lifelong resident of this state, an active hunter and fisherman and represents primarily Idahoans, lifetime Idahoans, who have been hunters and fishermen in this state and have watched the steady decline of recreational opportunities during their lifetimes, largely as a result of zealous logging management as opposed to the forest management. Fishing opportunities are going down, the steelhead runs are in trouble; especially elk hunting opportunities are declining because of lost habitat largely due to logging activities and that is the sort of thing that is causing concerns to sportsmen of the state. And I think that very illustrative is that last Friday, I spent two and a half hours in a helicopter with Federal Judge Lodge flying over the north fork of the Boise River watching where the logging activities are going on. What we saw was that the worst mud damage, that most of the mud that was flowing in the north fork of the Boise River was flowing into the river where the logging activities were happening, largely because of the roads. And when we got upstream to areas that were affected by this large storm, which was burned by last summer's fires but are not being actively logged, the sediment running off those hills, while there was some, was not anything in comparison to the areas where the logging roads exist and provide the opportunity for that additional sediment input to the stream.

Mr. CREMEANS. Thank you, Mr. Chairman.

Mr. COOLEY. Mr. Zaleha, are you an attorney?

Mr. ZALEHA. I am.

Mr. COOLEY. Member of the bar?

Mr. ZALEHA. Member of three bars.

Mr. COOLEY. Of this state?

Mr. ZALEHA. Washington state, Idaho and Colorado.

Mr. COOLEY. OK, the Idaho Sporting Congress, what is their legal entity?

Mr. ZALEHA. It is a corporation.

Mr. COOLEY. Which one?

Mr. ZALEHA. You mean——

Mr. COOLEY. Non-profit?

Mr. ZALEHA. It is a non-profit corporation.

Mr. COOLEY. Are you——

Mr. ZALEHA. 503.

Mr. COOLEY. Incorporated in the state of Idaho?

Mr. ZALEHA. Incorporated in the state of Idaho.

Mr. COOLEY. If we request a full audit of your financial statements, where you receive your funding, will you provide that for us?

Mr. ZALEHA. We can if you would like.

Mr. COOLEY. We would like to obtain it.

Mr. ZALEHA. I can tell you that it comes from member contributions.

Mr. COOLEY. I want to see it for myself, OK?

Now let me ask you something else. Do you believe in private property rights?

Mr. ZALEHA. I believe that the Fifth Amendment guarantees them and I believe in them.

Mr. COOLEY. But yet you made a statement in your testimony about not allowing hunters and fishermen on private forest land.

Mr. ZALEHA. No, I did not make a comment like that.

Mr. COOLEY. OK.

Mr. ZALEHA. I am talking about public forests.

Mr. COOLEY. Well, there is no restriction on public forests.

Mr. ZALEHA. Oh, yes, there is. On the Boise National Forest right now, they are being restricted.

Mr. COOLEY. We will ask the Forest Service about that later.

Do you really think that fires help or increase the availability of fish and wildlife?

Mr. ZALEHA. That is what the scientific community that is not in the employment of either the Forest Service or the timber corporation say, yes.

Mr. COOLEY. They say that fires are good for fish and wildlife.

Mr. ZALEHA. And the fires in Yellowstone have borne that out. It often leads to an improvement in wildlife habitat, often sometimes for fisheries as well. There will be short-term disruptions but as a general proposition these forests have evolved over millennia with fire as a regular part of their ecosystem.

Mr. COOLEY. Yes, but the recovery time is much different.

We have heard from the U.S. Forest Service and others today with pictures of the devastation of heavy fuel loads burning the earth, causing the earth to lose some of its natural oils and then when water hits it the runoffs are tremendous, filling up the

creeks, backing up situations, killing wildlife, fish habitat, sedimentation, et cetera. Do you really think that helps it?

Mr. ZALEHA. It does, that is what the scientists say. I am not a scientist, but that is what they tell me. That is what the scientists for President Clinton are saying.

[Laughter.]

Mr. COOLEY. Well, for an attorney at law to make that statement, I think you are misguided a little bit. But anyway, let us go on, I have a few more minutes here.

What would you suggest if you were making suggestions to improve the forests, the salvaging of the forests if you agree—oh, I am sorry, you do not agree on any salvaging of any type. So your opinion by your group is that nothing should be done to the national forest situation at all. Just let it be as it is.

Mr. ZALEHA. Essentially our position would be that the Forest Service—it would be possible in some situations to do salvage logging, but what we have found over time is that the Forest Service cannot do it, they cannot do scientifically sound salvage logging. They have demonstrated over and over again that they cannot and that they will misrepresent what they are doing out on the landscape and are wholly incapable of doing scientifically sound salvaging. And so we see no reason to put faith in an agency that has demonstrated a zeal for logging in an unsound manner.

Mr. COOLEY. Well, it is a fact that our forests have been in a steady decline since the early 1970's.

Mr. ZALEHA. That is false. The Forest Service's own data, which was withheld from this Committee, demonstrates that the mortality from all sources, including fire, over the last 40 years is actually lower than it was 40 years ago. And that is from the W.B. Smith study that has been conducted by the Forest Service.

Mr. COOLEY. Well, the thing is that I have been involved, my family has been involved with timber for many, many years and I spent a lot of time when I was younger in the woods. I have never seen so much dead and dying non-management in my lifetime and I am considerably older than you are. And I do not think that is good management. I am not sure that the Forest Service has been the problem, I am not going to try to blame them. But I am saying that groups such as yourself, it appears to us anyway, and to the general public, that you have prohibited, through lobbying efforts, the Forest Service to properly manage the forests and that is why we are in the condition we are in today. And now you are saying they are doing a bad job and yet they are complying with most of the mandates that your groups have put forth. They are really caught in a Catch 22. On the one hand, you say they are not doing the job you want them to do and yet you actually fostered this problem, and we also look at this and say—we agree the forests are not being managed, but we do not think it is because they are not properly able to do this. We feel they are not being managed because of the regulations and interpretations of the law that prohibit them from being good managers.

Mr. ZALEHA. Would you like a response?

Mr. COOLEY. Certainly, I would love a response.

Mr. ZALEHA. The reality of the matter is that there was never any need for a salvage writer to say no environmental laws apply

because the Forest Service has been ignoring them for years and we have had difficulty getting them to follow them.

[Laughter.]

Mr. COOLEY. I think from your testimony we can assume that we do not need a U.S. Forest Service at all. We would be better off if we did not have them.

Mr. ZALEHA. Management should probably be transferred to another agency like the Fish and Wildlife Service.

Mr. CREMEANS. Mr. Chairman, may I ask unanimous consent.

Mr. COOLEY. Yes. One minute?

Mr. CREMEANS. One minute. Jim, what would your reaction to Mr. Zaleha's vision of your future be?

Mr. WILSON. I think Mr. Zaleha is full of male bovine fertilizer.

Mr. CREMEANS. Pardon me?

Mr. WILSON. Full of bullshit.

[Laughter.]

Mr. COOLEY. Is that for the record.

Mr. WILSON. It certainly is.

Mr. CREMEANS. I am sure his testimony reflects a most sincere reason for being here. And let me say this to you, sir. I admire you for being here. I think you realized, even in your opening statement, that you were probably outnumbered and yet it is the desire of this Committee to hear both sides. So thank you very much for your content and I do appreciate your testimony. I came here with no preconceived notion as to the outcome of these hearings, so I am listening with impartiality. So thank you and thank you, Jim.

Mr. ZALEHA. We thank you, sir.

Mr. COOLEY. Ms. Chenoweth, you have one minute.

Ms. CHENOWETH. Mr. Zaleha, so you were up in an airplane with Federal District Judge Lodge, flying around with him?

Mr. ZALEHA. Along with Forest Service personnel and the U.S. Attorney.

Ms. CHENOWETH. How often do you go up with the Federal District Judges and spend time with them?

Mr. ZALEHA. This was the first time, apparently Judge Lodge had never been in a helicopter before last Friday.

Ms. CHENOWETH. I am sure that was quite a trip.

Mr. ZALEHA. It was.

Ms. CHENOWETH. This is very interesting. I think this is one of the reasons why I am looking forward to dropping a bill that will limit the terms of Federal judges.

[Laughter and applause.]

Ms. CHENOWETH. Where did you live before—

Mr. COOLEY. She has a lot of support too.

Ms. CHENOWETH. Where did you live before you moved to Idaho?

Mr. ZALEHA. Seattle.

Ms. CHENOWETH. Do you have a whole lot of elk in Seattle?

Mr. ZALEHA. I am a fisherman.

Ms. CHENOWETH. I did not think you hunted elk. Thank you.

Mr. COOLEY. I want to thank the panel for their testimony, I want to thank the audience for their patience. Thank you very much, the panel is excused. Panel number two—Dr. Wayne Minshall, Ms. Lisa Lombardi, Bob Hitchcock, Alex Irby, Jack Buell, Dick Willhite and James Mallory.

I want to remind the audience to have respect for the panel, their testimony, and I also want to remind the panel that you have five minutes. When the red light goes on, if you do not stop, I will pound the gavel. So when the red light comes on, please conclude your statements and we will go on.

Doctor, you are first.

**STATEMENT OF DR. WAYNE MINSHALL, IDAHO STATE
UNIVERSITY, POCA TELLO, IDAHO**

Dr. MINSHALL. Mr. Chairman, members of the Timber Salvage Task Force, I appreciate this opportunity to provide testimony regarding the effects of salvage timber removal on the health of forest ecosystems. I have submitted a seven page written document and an attachment from which I will be extracting some comments.

As you know, a forest is composed of more than just trees, it also includes the rivers, streams, lakes, wetlands, and the biological, physical, and chemical processes and ecological functions that link all these pieces together. All these parts and the way that they fit together and the interactions among them constitute the integrity of the ecosystem. It is the maintenance of this integrity that must guide the way we manage forests so that they benefit this and future generations.

In my view, there are two major misconceptions which have been used by the proponents of salvage logging to justify excessive timber harvest of burned stands. The first of these is the assumption that the fires were catastrophic or devastating in nature. And the second misconception is that the burned trees are unimportant, useless, and hence valueless to the forest and stream ecosystems. One important outcome of these two misconceptions is that the so-called salvage or recovery operations can themselves impede post-fire recovery.

Some have characterized the recent fires as catastrophic, devastating, and have called for widespread, intense pre-fire and post-fire management restrictions to ameliorate the proclaimed problems. This is a panic response not warranted by the facts. In my experience in studying the effects of fire, panic responses do more harm than good. Rather, this is a time for caution and conservative action.

As far as the watersheds are concerned, fire is not a catastrophe and talk about catastrophic fires distorts the issue. It certainly is true that the watersheds and streams have already been badly damaged by excessive mining, grazing, logging, and road-building and that those are more likely to suffer serious damage from fire. But they are also likely to suffer serious damage from other natural factors that affect streams, including drought and flood. Poor watershed management which severs the connectivity of the aquatic system makes streams vulnerable to all kinds of stress. The solution is better watershed management, not panic about so-called catastrophic fires and certainly not indiscriminate salvage logging. Treating the situation as a catastrophe and reacting in a panic mode may lead us to violate ecological principles and overreact in terms of management treatments.

There is a widespread, but incorrect, assumption that dead or so-called rotting trees provide no ecological value if left in place.

Burned dead and dying trees are important to the ecological integrity of the forests and streams and serve an important function in the post-fire recovery of these ecosystems. Their indiscriminate or overzealous removal can significantly impede recovery.

Recovery of the hillslope following fire is hastened by the presence of burned trees. Stream recovery depends upon a continuing source of large woody debris. It provides habitat for aquatic organisms, holds the sediment, helps streams retain and process organic matter, and overall fulfills the processes and functions that are required for a healthy stream ecosystem.

Eventually these two previous misconceptions can lead to inappropriate management actions and substantially impede post-fire recovery. One natural consequence of management directions guided by these misconceptions is excessive or inappropriate removal of dead and dying trees through salvage logging. This and other activities that occur as part of an overall salvage operation can further magnify the damage and impede post-fire recovery. Any plans to salvage dead and dying trees must avoid or minimize the inherent negative effects.

The loss of the trees themselves can impede recovery and one should attempt to keep at least 50 percent of the tree stands intact relative to their overall size or age. Ground disturbance associated with salvage logging is of primary concern. Ground disturbance due to construction of new roads and landings, reconstruction or alignment of existing roads, establishment of skid trails, development of other passageways for the movement of logging trucks, and the operation of tractor-skidder logging operations are especially damaging. These expose soils, interfere with runoff patterns, and dramatically increase the sediment loading in a watershed. Other salvage activities can be ineffective and costly and are basically cosmetic and a waste of time.

I will briefly note that, contrary to popular belief, the Boise Foothills Watershed Monitoring Report does not support the conclusion that salvage logging is good for watersheds, although some in Congress and in the timber industry have used this report as so-called proof that salvage operations help to improve streams and fish.

In the submitted report, I identify a number of things that can be done to minimize negative effects of salvage logging, and I have appended a document on timber salvage procedures that support this.

To conclude, I would simply add that salvage logging should be prohibited in sensitive areas such as steep slopes, fragile areas—like some in the Thunderbolt—that ground disturbing activities should be minimized, and that a minimum of 50 percent of standing dead trees should be maintained.

Thank you very much.

Mr. COOLEY. Thank you, Doctor. And your full report and the supplement submission will be in the official record.

Dr. MINSHALL. Thank you.

[The statement of Dr. Minshall may be found at end of hearing.]

Mr. COOLEY. Ms. Lombardi.

**STATEMENT OF LISA LOMBARDI, IDAHO WILDLIFE
FEDERATION, MOSCOW, IDAHO**

Ms. LOMBARDI. My name is Lisa Lombardi. Thank you for the opportunity to testify. I am a wildlife biologist, trained at the University of Idaho, 35 miles north of here. And I really do not want to talk about how many years ago that was. I am the area representative for the Idaho Wildlife Federation for this part of Idaho and I would like to welcome those of you from out of state to our area.

The Idaho Wildlife Federation is an organization of sportspeople and conservationists interested in maintaining wildlife and wildlife habitat now and in the future. We just celebrated our 60th year as an effective voice for wildlife in Idaho. Hunting, fishing and enjoying wildlife as a public resource, on our public lands, is part of our heritage here, part of our custom and culture and part of the public trust which we are here to discuss today.

The rescission bill and most of the discussion of forest health in general does not adequately address our concerns.

There are about 270 species of vertebrates in Idaho. Of these, 60 species required dead trees in order to exist, one of which is the mountain bluebird, our Idaho state bird. I am just mentioning that as an example of some of the discussion that goes on on forest health that does not necessarily include other resources.

To take the health analogy further, it is like saying we would be healthier if we got rid of our dead cells. The problem is those dead cells are our teeth, our skin and our bones. Would you really be healthier if you had no teeth and no bones?

The closest national forest to here, as you know, is the Clearwater National Forest, and by and large, it did not experience the fires you read about last year. But that is not to say we do not have forest health problems. We do.

Seventy one percent of the streams on the forest are below the Forest Service's own water quality standards.

We have numerous regeneration failures after logging because the logging took place in areas too steep, stony and high.

We are losing and in many cases have lost our salmon and steelhead populations, as you know if you read the paper this morning. Resident fish too are declining in places. I have stood dry shod on a silt and gravel bar that used to be a trout pool. The sediment came from clearcut and logging road washouts in the drainage.

We have had local extirpations and in some cases complete extirpation of species of wildlife.

And finally, in some places, there is a dire lack of dead trees, which has contributed to the local extirpation issue.

These are forest health problems too caused or exacerbated by logging. Many of these problems occur only on what we call the roaded front. The rescission bill is not only not going to address these forest health issues, it will make some of them worse. I will just mention one rescission sale I know fairly well in White Pine Creek. I have an orthophoto here. I was under the impression that I could not use slides, so I did not provide them. But I got to borrow this from the Palouse ranger this week.

White Pine Creek is one of three—only three—stream segments left on the Palouse Ranger District, 146,000 acres, that still meets

the Forest Service's own water quality standards. As you can see from the orthophoto, the surrounding country has been severely logged. To the south and the west there is not a snag within miles. The area to the north and east of White Pine Creek has continued to be logged since the photo was taken in 1990. The creek below the still-forested area is in terrible shape, as is the stream it flows into—Meadow Creek. The sale area is the only habitat, literally, both aquatic and terrestrial, left in the area.

It is too small to be functional old growth in all the senses of the word, but it has many of the habitat characteristics—clean water in clear pools, an abundance of aquatic insects, big trees, closed canopy and lots of snags and down logs, which is good for wildlife. These are all habitat characteristics absolutely missing from the surrounding area.

The paucity of the surrounding area was caused by logging. How on earth is logging White Pine Creek going to improve the health of this forested landscape? Reducing the health stream segments on the whole Ranger District from three to two? Destroying the last remaining habitat in the area?

Is this landscape sustainably managed, even from a human standpoint? Not unless you can afford to wait 80 years between paychecks. These problems have not gone away and logging is not going to cure them.

We are lucky here on the Clearwater, we still have some intact roadless areas where wildlife flourish. Just two weeks ago, I went into Weitas Creek to watch the kokanee spawning. I saw some beautiful cutthroat trout, about ten inches long, and up on the slope the next day, I saw a gorgeous, beautiful bull elk with an imperial rack of antlers. It was pretty magnificent. I was not going to mention it because I thought all our members would take off, it being Friday. But most people are still here.

This is why we live here, to enjoy our public resources. We recognize we are lucky to live among such bounty and we recognize that it will take effort to stay lucky. That is why I am here.

We are not satisfied with the concept of turning over our public forests or even a portion of them to just one interest, logging. In fact, we think that is a violation of the public trust which you, as Congressmen, hold for us. We believe it is possible to log at a rate and scale that sustains our natural communities as well as the human ones. But we seldom, if ever, see it. And the rescission bill blatantly disregards all the safeguards we have to ensure the continued viability of our public resources.

We urge you to look at all resources when you are defining what constitutes forest health and evaluating whether this bill works or not. We would like to see some attention paid to some of the forest health problems we see—habitat degradation and loss of species. And we are strongly opposed to any further legislation that ignores, or as this bill does deliberately discounts, our public wildlife and fish resources.

To us, a forest without wildlife and fish is not a forest at all.

Thank you.

[Applause.]

Mr. COOLEY. Thank you. Mr. Hitchcock.

**STATEMENT OF ROBERT T. HITCHCOCK, EVERGREEN MILL,
NEW MEADOWS, IDAHO**

Mr. HITCHCOCK. Mr. Chairman and members of the Task Force, I appreciate this opportunity to appear before you today to discuss timber salvage on Federal lands.

Fires on the Payette National Forest and Boise National Forest, as you know, were the catalysts for the Taylor-Dicks Emergency Salvage Timber Sale legislation signed by the President in July.

We very much appreciate all the hard work that went into the passage of the emergency salvage legislation. It is an important step in a long-range effort to restore common sense, multiple-use management to the Federal forests.

Evergreen Forest Products is a family-owned business. We operate a sawmill and cogeneration plant at Tamarack, on Highway 95, seven miles southwest of New Meadows, Idaho. Present production is approximately 50 million board feet of lumber per year. We run two shifts and provide solid, family-wage jobs for 100 people. Another 150 loggers and truckers have jobs because of our mill.

For 31 years, Evergreen has been one of the primary timber purchasers on the Payette National Forest. I would estimate that over time, approximately 65 percent of the logs converted to products at our mill originated on the Payette National Forest.

Briefly in the early 1990's, we thought the Payette National Forest might avoid the legal/political stranglehold that has virtually choked off the sale of Federal timber in the Pacific Northwest. Our optimism was, unfortunately, short lived. Instead of 75 to 80 million board feet of timber that was sold from the Payette National Forest in the 1970's and 1980's, timber sale levels are now in the 40 to 50 million foot range.

In July 1994, everyone in our area watched in horror as wildfires raced out of control on the Payette and Boise National Forests. The Forest Service made some ballpark estimates of the volume of timber on the two forests that could have been salvaged. According to these estimates, the Payette and Boise National Forests had 1.4 billion board feet and 500 million board feet respectively of salvageable timber.

Boise officials moved swiftly and decisively and almost immediately they began to design salvage sales and prepare environmental assessments as required under the National Environmental Policy Act of 1969.

Officials on the Payette, on the other hand, spent the first few months after the fire trying to decide if they should sell any timber at all.

In order for there to be significant, sustained national timber salvage effort, Congress must give Federal forest managers from the Secretary of Agriculture to the Chief of the Forest Service to individual supervisors and district rangers, direction to remove a certain minimum portion of the dead and dying timber that becomes available each year. And just as importantly, Congress must hold these officials, from the Secretary on down, accountable for meeting those minimum requirements.

The original version of the Taylor-Dicks amendment, as passed by the House of Representative on March 16, required the Secretaries of Agriculture and Interior to prepare, offer and award cer-

tain minimum salvage volumes. The Clinton Administration objected to such hard and fast volume requirements and they were deleted from the final version of the legislation. Dropping the minimum requirements was a mistake. A successful salvage effort must be gauged by a single measure, the volume of salvage timber actually sold.

Time after time, we have seen timber sales stopped completely or saddled with costly, unnecessary fish mitigation requirements. Sadly, these consultations between National Marine Fisheries and the Forest Service/BLM do not produce more salmon. All they produce is less timber. This has got to change.

Unfortunately, Payette National Forest officials did not decide to proceed with a salvage program until January 1995. The next eight months were consumed by informal discussions with National Marine Fisheries and Fish and Wildlife Service and the Environmental Protection Agency. A full-blown environmental impact statement was also prepared. It was not until August that Payette officials moved forward with specific fire salvage sales. At that time, eight specific salvage sales were identified and six of the sales submitted to National Marine Fisheries, Fish and Wildlife Service and the EPA for consultation. That does not include the Thunderbolt sale that is partially located on the Payette. Those six sales are still awaiting formal approval by the other agencies.

We have evidence of what happens when agencies other than the Forest Service or BLM are given joint jurisdiction over salvage timber sales, as the administration did in its August 9 memorandum of agreement. Either one of two things happens—the sales disappear into a black hole never to be seen again, or they emerge loaded to the hilt with costly fish mitigation requirements. In either case, the preservationists and the pseudo-science champions win. Either the sales are held up so long that they lose all economic value or else they contain enormously expensive mitigation measures that all but assure that there will be no bidders for the timber.

An example of the latter situation is the proposed Fall-Carey timber sale. That sale of approximately seven million board feet includes placing \$490,000 of crushed gravel on a presently graveled road. Given the fact that some 75 percent of the volume to be offered for sale is white woods, we doubt seriously if this sale will attract any bidders, unless it is realistically priced.

The two sales on the Payette that were not submitted to National Marine Fisheries for consultation have been offered for sale. One of the sales, Brush Creek, 8.2 million board feet, was primarily house logs. That sale sold to a log home builder. The other sale, Fall Creek, was offered for sale on September 22, but received no bids. The Fall Creek sale was estimated by the Forest Service to contain 4.2 million feet of white fir and Douglas fir. Our own cruisers estimated that the volume was less than half the amount advertised. Given the expensive road job associated with the sale, the high advertised stumpage prices set by the Forest Service, and the volume discrepancy, it is no wonder the sale did not sell.

In closing, Mr. Chairman, I offer the following thoughts:

A business as usual approach by the Forest Service and BLM to timber salvage is simply unacceptable. The Taylor-Dicks Emer-

gency Salvage Timber Sale Program was established because the status quo had and remains intolerable.

Success of this Emergency Salvage Program must be gauged by a single measure—the volume of salvage timber actually sold.

This is an emergency situation and the administration should respond accordingly. Creating additional procedures and/or bureaucracies is not an acceptable response.

Mr. Chairman, it is important to remember that salvage timber sales produce many benefits. Precious Federal resources are used, not wasted. Funds are generated for necessary forest health restoration work. Mills receive desperately needed timber. Good, hard-working people remain employed. And future forest disasters are averted.

Given these benefits, we think that an aggressive timber salvage sale program for America is good.

Mr. COOLEY. Your complete testimony will appear in the record. I know you cut it short a little bit but we have the whole thing. Thank you. Alex Irby.

[The statement of Mr. Hitchcock may be found at end of hearing.]

[Comment from the audience.]

Mr. COOLEY. I am going to have some order in here or people will be removed.

VOICE. I am sorry.

Mr. COOLEY. Thank you. Alex.

STATEMENT OF ALEX IRBY, RESOURCE MANAGER, KONKOLVILLE LUMBER, OROFINO, IDAHO

Mr. IRBY. Thank you, Mr. Chairman, Congressional delegation, for allowing me to testify today. Part of my testimony is a photo of forest mortality as well as a PIS map of some districts showing the recent mortality by habitat type.

My name is Alex Irby, I am Resource Manager for Konkolville Lumber Company in Orofino, Idaho, which is 43 miles upstream on the Clearwater River from Lewiston. Konkolville Lumber Company is a small family owned mill which located in the area 48 years ago.

During the past ten years, obstructionist appeals, bureaucratic inefficiencies and conflicting management direction have allowed conditions on the Clearwater National Forest to deteriorate to the point where trees are dying at an alarming rate and devastating wildfires strike with increasing frequency and intensity.

Each year, an estimated 200 million board feet of timber die on this forest, enough wood to build 20,000 homes and support 2000 well-paying jobs. During the past three years, timber output has plummeted from a ten year annual average of 120 million board feet to less than 45 million board feet. If the gap between mortality and the removal of dead trees is not bridged with expedient and extensive salvage harvest, the catastrophic fires experienced on the Boise and Payette Forests are destined to be repeated on the Clearwater. But with the Federal timber sale program so tied up in legal and political gridlock, this forest crisis remains unchallenged.

The compact between the Forest Service and the public to wisely and sustainably manage our forests is crumbling. Many will place

the blame squarely on the shoulders of the Forest Service, and on some forests that may be justified. But on the Clearwater, the Forest Service recently struggled to overcome the seemingly endless string of hurdles that hamper the actions which ensure healthy and productive forests. Despite these efforts, dead timber continues to pile up while mills that depend on these forests close their doors.

Appeals delay sales until dead timber rots on the stump. Lawsuits drag on interminably, eroding the economic value of salvage timber. Endless consultations between Federal agencies prevent many salvage analyses from timely completion.

Congress recognized that forest like the Clearwater needed help to break the cycle of drawn-out analyses, obstructionist appeals and lawsuits, followed by more dead timber, then finally catastrophic wildfires. By passing emergency salvage legislation, Congress gave the Clearwater forest the ability to quickly salvage dead timber for wood products needed by all Americans. The amendment empowers forest managers to streamline environmental analyses, avoid time-consuming appeals and quickly convert dying trees into healthy young forests with stable soils, healthy fisheries and abundant wildlife.

After the President signed the emergency legislation into law, I expected the Clinton administration would provide the Forest Service with direction and support needed to make this new law work. But I have learned from my conversations with the Forest Service that the administration is working hard to make sure this new law fails. Instead of promoting the streamlined analyses that allow resources to be spent on the ground, the administration has directed districts and forests to go through the detailed documentation hoops the law exempted. It is just business as usual. To add insult to injury, the administration has even added new bureaucratic layers that turn over Forest Service authorities to regulatory agencies like EPA and NMFS, who have absolutely no experience with forest management.

The net result is that in the Forest Service's Northern Region, there will be virtually the same timber harvest level with the salvage legislation as there was without. On the Clearwater National Forest, timber output will not even reach half the allowable sale quantity, despite the harvest levels that have been 25 percent of the ASQ for the last four years. I simply do not understand how the administration can direct agencies like the Forest Service to blatantly disobey the new law. Once again, we need Congress' help to remove the roadblocks that block the Forest Service from its mission of ensuring healthy, sustainable forests that meet this nation's needs. Without this assistance, we will see more mills close, more trees die and a blackened forest that will serve only as a legacy to those who placed political self-interest above the vitality of our forests and our communities.

Thank you very much.

Mr. COOLEY. Thank you, Mr. Irby. Dick Willhite.

**STATEMENT OF RICHARD WILLHITE, RESOURCE MANAGER,
SHEARER LUMBER PRODUCTS, ELKS CITY, IDAHO**

Mr. WILLHITE. Thank you, Mr. Chairman. I would like to thank the Task Force for the opportunity to testify today. My name is

Dick Willhite, I am the Resource Manager for Shearer Lumber Products in Elk City, Idaho. I have been involved with the national forest in north Idaho for over 18 years, mainly the Nez Perce National Forest.

The response of the national forests that make up Region 1, to the salvage provisions of Public Law 104-19 were quite diverse. Some foresters seemed to view the provisions of the law as an opportunity to address some very real forest health problems while supplying timber desperately needed to support the local economy. Other foresters seemed to view the bill as an unwarranted intrusion into their business, and something that would have to be accommodated, hopefully with a minimum of disruption to business as usual. President Clinton's letter of August 1 and the subsequent memorandum of agreement of August 9, lowered the aspirations of the first group and reinforced the business-as-usual attitude of the second group.

The response of the Nez Perce Forest to the salvage provisions of Public Law 104-19 appears to be in the business-as-usual group. The 1996 timber target for the Nez Perce Forest totals 22 million board feet. This is broken down as seven million board feet of green material and 15 million board feet of salvage, of which they are attributing five million to the salvage bill. It should be noted that the target for fiscal 1995, which ended September 30, was approximately 50 million board feet while the actual accomplishment for 1995 was three million board feet which included two million board feet of firewood and post and poles.

To understand the significance of these low target and accomplishment figures, a brief overview of the timber resource available on the Nez Perce may be helpful.

The Nez Perce National Forest consists of approximately two million acres, one million acres of which are in statutory wilderness. The remaining acres were allocated to various uses during the forest planning effort of 1986-1987. The forest determined that approximately 900,000 non-wilderness acres were capable of growing timber on a commercial basis. Various set-asides reduced this acreage to approximately 600,000 acres.

The Nez Perce Forest was in 1986-1987 and is today a mature to over-mature forest. The Forest Service is well aware that they are dealing with a mature forest that is, in my opinion, from a forest health perspective, in decline. They revealed in the Forest Plan Final Environmental Impact Statement that 80 percent of the 900,000 tentatively suitable acres consisted of sawtimber stands at or beyond the culmination of mean annual increment. This mature to over-mature forest was, and is, a disaster waiting to happen. An indication of the extent of this problem was revealed in an internal Forest Service report produced in June of 1993 titled, "An Estimate of Timber Mortality and Potential for Salvage—Nez Perce National Forest." This report estimates the annual mortality on the 600,000 base acres at over 300 million board feet per year—300 million board feet of timber is enough to run Shearer Lumber at our present production rate for over 14 years. This Forest Service report concluded that "a large salvage effort would not be possible or prudent without a major shift in management direction." This is the mindset that made the passage of the emergency salvage legis-

lation critical. However passage of the salvage bill did not solve the problems on the Nez Perce Forest. The combined 1996 and 1997 salvage targets for the Nez Perce total less than ten percent of the estimated annual mortality. This failure to confront the mortality problem can only result in a continuation of the trend of ever larger wildfires in the inland region.

The timber mortality report cited above was produced in June of 1993. Since that time, Shearer Lumber Products cut its work force in half by laying off the second shift in July of 1993. The Idapine sawmill in Grangeville shut its doors in November of 1994. The net result of these layoffs was the loss of over 150 full time year round sawmill jobs and the loss of well over 100 logging jobs. These lost jobs were caused entirely by the lack of Federal timber sales.

The only hope of survivals for the sawmills dependent on the Nez Perce Forest, and the communities that depend on the sawmills, is for the Nez Perce Forest to grasp the opportunity created by the salvage legislation. There can be no doubt that the harvest of a substantial portion of the over one billion board feet plus of dead and dying timber that is adjacent to existing roads would save these communities and also leave a healthier, more sustainable forest.

[The statement of Mr. Willhite may be found at end of hearing.]
Mr. COOLEY. Mr. Mallory.

STATEMENT OF JAMES MALLORY, POTLATCH CORPORATION, LEWISTON, IDAHO

Mr. MALLORY. Mr. Chairman, Congressman Chenoweth and members of the Committee, my name is James Mallory and I am currently Woodland Manager for Potlatch Corporation in its Clearwater area, which is adjacent to and intermingled with parts of the Clearwater National Forest.

I appreciate the opportunity to be here this morning and to comment on the performance of the Clearwater Forest in response to the salvage language in the 1995 Rescissions Act.

Early on, the Clearwater National Forest took an aggressive stance in the salvage program, starting with an extensive aerial review of the roaded portion of the forest. They used global positioning equipment to locate areas of concern. They consulted with entomologists over bug infestations. They retrained smoke jumpers to be timber cruisers, to bolster their inventory efforts. They kept the public involved with meetings and most recently held field trips for local officials to keep them aware of the salvage program and the opportunities.

The results of this aggressive effort are going to be a program of approximately 37 million feet removed from about 8000 acres of the forest. This, by all means, is a very modest program, considering the fact that the Clearwater National Forest is a forest of two million acres with an annual growth of 280 million board feet. And by no means should this be considered a way to circumvent any environmental laws and increased timber harvest. There are several pitfalls that lurk out there yet that could derail the Clearwater salvage program.

There are many conflicting laws and requirements, perhaps the most threatening would be the Endangered Species Act. The ap-

peals process, although it has been streamlined with the salvage language, it still remains a threat to a successful program. And finally, the lack of skilled technical timber staff. Without trained professionals, it is impossible for the forest to put up a timely program.

We applaud the Clearwater's efforts on their program, but now I would like to comment on a greater issue that lies at the root of the salvage program, which is the general worsening of forest health on the Clearwater National Forest. Without an active timber management program, including vegetation control, we will see increasing encroachment of insect and disease on the forest. To quote a Forest Service employee, "The need to salvage is an admission of failure to preserve the health of the forest."

In conclusion, I would like to again reiterate that we will again support the Clearwater's current program of salvage, but we also have great concern over the continual eroding of forest health, and without an active timber management plan, we will see this increase.

Without change in the direction of the Forest Service, I am afraid we will watch the forests that they are charged to protect continue to deteriorate while spreading economic pain and dislocation to our local communities. With that, I thank you for the opportunity to comment.

[The statement of Mr. Mallory may be found at end of hearing.]

Mr. COOLEY. Thank you, Mr. Mallory. Congresswoman Chenoweth.

Ms. CHENOWETH. I want to thank the panel for taking time out of their busy day, and I know how busy all of you are, and coming and sharing your thoughts with us.

I would like to ask Mr. Hitchcock, we hear a lot about the low cost timber sales. Can you help me and the rest of the panel understand what ingredients go into the sale that causes it to be either attractive for companies like yours to bid on or not?

Mr. HITCHCOCK. It would probably have to be a mixture of species, Ponderosa pine predominantly. The price value obviously is of significant importance. The ability to log in a manner consistent with lower cost, as well as protecting the environment. Right now, of course, our industry is experiencing below cost itself. In other words, most of the sales that we are logging and working on are causing significant losses within our industry. I am not aware of any losses at the current time that the Forest Service might be having incurred. I know the Payette National Forest has always been profitable and remains to be so.

Ms. CHENOWETH. That is good to hear.

Mr. Hitchcock, you are an independent sawmill owner, are you not?

Mr. HITCHCOCK. Yes.

Ms. CHENOWETH. I heard that you had a timber sale off of state land that you were unable to transport your logs out over the roads. Can you enlighten me on that?

Mr. HITCHCOCK. Well, I think we have been hauling. The volume of the timber sales has been significantly reduced from what it originally was, certifying six million foot, it turned out to be about four million per sale. But we were held up for a little while as far

as road descriptions were concerned. But once those were lifted, we were OK to proceed.

Ms. CHENOWETH. Lisa, this is the second time I have heard you testify and I very much appreciate you coming in. And I wanted to also thank Dr. Minshall for coming all the way from Pocatello.

You were not able to complete your testimony; however, you did indicate in your written testimony a section entitled "Salvage Logging Can be Done to Minimize its Negative Effects." You indicated, "Allow the natural recovery and recognize the temporal scales involved with ecosystem evolution." Could you explain that statement to me? What are temporal scales and how do you define ecosystem evolution in terms of timber salvage?

Dr. MINSHALL. First of all, in terms of time scales, there are a series of events that occur with and following fires. Some of those fall within the short-term, the first year, for example; others in mid-term, for example the first ten years; and others over a longer period of time of 60 to several hundred years, depending upon the fire frequency of a given area.

So in terms of salvage, there are two time scales, and I suppose that the people doing the salvage would add a third, but basically there is the immediate impact of the fire, the first year sorts of effects, and there are the mid-term effects. So perhaps that helps answer your question.

Ms. CHENOWETH. In your capacity in the Department of Biological Sciences at Idaho State University, have you had a chance to study the effects of the 1910 fire and how long it took for it to recover naturally?

Dr. MINSHALL. I have had a chance to study other fires other than the 1910, but I have had an interest in examining as many sites as I could find with known time of fire, so that I have looked at a lot of other forest situations. So to that extent, I know a bit about forest recovery.

Ms. CHENOWETH. And in the 1910 fires as well as in some of the fires that we experienced in 1994, it burned so deeply into the ground that the soil, we had tremendous erosion problems, as we did in 1994, which creates a tremendously heavy sediment load in the streams. And it would seem to me to be able to get in and do watershed management by being able to block the erosion from the steep slopes that have been burned would be a far better solution to allowing it to just exist without management.

Dr. MINSHALL. Erosion following fires is a common effect. It has commonly increased in intensity by poor management on those same watershed prior to the fire. In areas that I have studied, that are in more or less wilderness areas, the recovery from sediment effect largely dissipates dramatically within the first couple of years following the fire. Following about ten years after the fire, those sediment effects are largely reversed and in terms of fish production, in terms of the overall aquatic environment, the situation is usually one of enhancement over pre-fire conditions.

Ms. CHENOWETH. Would that apply also to any other activity on the forest?

Dr. MINSHALL. Not necessarily. Some of those activities, if they reroute the water flow and channelize it or put it into culverts or

into road ditches can create problems that will take tens to fifties of years to heal.

Ms. CHENOWETH. Mr. Chairman, I want to end by just saying I find it hard to understand why the sediment load in streams that impacts spawning habitat areas from poor watershed management after fires has less of an impact on those spawning habitats than do any other activity in the forest. I mean, you know, sediment is sediment. But I thank you very much.

Dr. MINSHALL. You are correct in that many other activities contribute to sediment, and in the case of the south fork of the Salmon River, for example, that was logging and roading on a very erodible soil that contributed to the sediment effects. Sediment effects are part of the problem at all times, but usually, if the sediment will be allowed to pass through and if that sediment is timed in its release, such as if it occurs at high water, it is of much less damaging effect than if it occurs continually or outside the seasonal periodicity. It is especially a problem where it is allowed to accumulate or in low gradient situations like the south fork where it cannot—the stream cannot—clean itself.

Mr. COOLEY. Mr. Cremeans.

Mr. CREMEANS. Ms. Lombardi, I listened with keen interest to your comments on the Clearwater National Forest. In light of the forest annual growth and your belief that the timber sales volume should be substantially reduced, how would you come to grips with the over-mature and over-crowded trees that are there?

Ms. LOMBARDI. Well, I guess what you are calling over-mature, I would call old growth, which is a habitat condition that all habitat types will get into eventually. Right now, the Clearwater Forest, by their own reckoning, has—10.3 percent of the forest landscape is in old growth, 10 percent is their own management minimum to maintain on the forest. So they do not have very much slack there for wavering around that minimum. Ten percent is the minimum and they have got 10.3 percent there.

I am not a silviculturist and so I am not—I do not really understand when people talk about how much growth the forest is putting on and how much it reduces. I think of those in terms of habitat and habitat types. And to me, when I see ten percent of the forest is in old growth, I start thinking about how that old growth is distributed, how the animals are going to use it and whether it is going to persist in time. I do not think that management of the forest is—first of all, it takes a long time to get old growth back once it is gone. And I do not think we have ever watched ourselves do that on this continent, just because we have not been here long enough.

I do not think I am really answering your question, but that is the way I think of the forest in general. And decadence in old growth, as Jerry Franklin, a professor at the University of Washington, said, decadence is a good thing, lots of animals use it. It is not wasted in the sense of not being used by the animals. That is not to say that we should not have some sort of salvage program on the Clearwater National Forest, and I do not think I took a position as to whether the volumes coming off now as far as the straight number is good or bad. I think there are ways to do it and ways not to do it.

Mr. CREMEANS. How many people here do you think derive their income from a relationship with forest products?

Ms. LOMBARDI. If you include fish and wildlife as forest products? I guess you would have to talk to others, I really do not know. I know there are about 60,000 people here in this area who use the Clearwater National Forest as recreation, almost all of us living in this immediate area. And recreation includes everything from hunting to fishing to bird watching to, you know, hiking to RVing and so you have got a 60,000 person constituency, and these overlap, who get recreational values from that forest. Now within that 60,000, there are some of those who make their living as loggers, there are some who make their living as fishing guides, some make their living selling fishing equipment, some make their living as hunting guides.

Mr. CREMEANS. This assembly has approximately a couple hundred people in it. How many people here receive their income—and I would like to see a show of hands—from the logging industry or logging.

[Show of hands.]

Mr. CREMEANS. Would you want to turn around and look?

Ms. LOMBARDI. I can guess.

[Laughter.]

Mr. CREMEANS. You know, the problem we have is to try—as Dr. Minshall has said, the issue here is largely economic. And yet we have to try and balance that. Your testimony is well received, at least in my mind, as well as Dr. Minshall's.

"The two major misconceptions"—and I am quoting from your testimony, Dr. Minshall, "which have been played on by the proponents of salvage logging to justify irrational and excessive timber harvests," and then you go on to clarify your comments and your position. I ask you what possessed you to be a panelist at these hearings?

Dr. MINSHALL. I was invited by one of the minority groups on your panel. I feel very strongly about conservation issues. I have lived and enjoyed very much my experiences in Idaho and in the back country of Idaho.

Mr. CREMEANS. Are you a native?

Dr. MINSHALL. I am not a native, I have been here over half of my life, but sir, I did not notice that there was a guard station at the boundary when I came in. I think the state welcomes diversity of people of all lengths of time staying here.

Mr. CREMEANS. Do you think you would have a different view if you derived your income directly from the logging industry?

Dr. MINSHALL. I am sure I would. Certainly that biases one's opinion very much. I have tried to keep a broader perspective in that regard and I would have to say that indirectly, I derive my income from what the forest industry does, the grazing industry does, what the recreational industry does, and so on. So perhaps I can remain a little bit more objective because of the diversity of sources from which my income comes.

Mr. CREMEANS. Well, let me say this, I very much appreciate your testimony, it has provoked a lot of thought in my own mind. And I think all of us would agree with your comment about conservation. All of us here want to see fish restored and things of

that nature, but as a body politic, we have to pass judgment on—in a sense, sometimes the majority rule and how it directly affects us. Every time I walk up to someone and they say hey, I work so and so, I want to shake their hand because they are working and not on some kind of public dole. And when I look into this group of people who work for a living, that sends a pretty strong message to me. And yet, your testimony is very seriously taken, so thank you, Mr. Chairman.

Dr. MINSHALL. Thank you, sir. I would simply add that I think our responsibility is not only to the immediate generation, but to future ones as well.

Mr. COOLEY. Dr. Minshall, you know, I have listened very carefully to your discussion about sedimentation and its effect on habitat, et cetera. What is the difference—and you claim it is because of salvage logging or road-building that we build sedimentation and in a period of time the sedimentation eventually goes downstream and is washed through the river, et cetera. Why do you take such an objection against logging against forest fires. When we log, when the Forest Service puts out a contract, they do not go in there repeatedly year after year after year. It is done, goes for several years, maybe ten years or so, they go back in and look again at what needs to be taken a look at. So what is the difference in your argument that forest fires that come through every 10 or 12 years are OK but logging that comes through every 10 or 12 years is not OK because it disrupts the sedimentation factor and therefore is detrimental. You say on one factor it is OK and on the other factor, it is not.

Dr. MINSHALL. Thank you, sir, for allowing me to clarify that.

First of all, I would like to point out that if you care—fully read my testimony, I have not taken a stand against logging, I am not opposed to logging. I think we can log and we can do it in an intelligent and conservative way and both sides will be better for that.

In terms of the problems with logging as it is currently done is the problem of accelerated sedimentation and opening wounds that do not heal for very long periods of time. And while you say that foresters and others go into these areas and they are only there a short time and then they are gone, the wounds that they open extend over longer periods of time and the roads that they create often are forever. And many of those roads are the major sources of sediment that is of concern. In the Thunderbolt fire in particular, it is a roadless area because it was so fragile an environment that the foresters, before they were being pressured by present day concerns, felt that that was simply an impractical area to do logging in. So there are certain areas where the Forest Service is being forced to log where their better judgment was to avoid that in the past. Those are the situations I am concerned about.

Mr. COOLEY. Ms. Lombardi, under some of the new proposals and plans and implementation by the U.S. Forest Service now even on salvaging on public lands, we are leaving snags as they call them or skags, tree limbs, et cetera to build a forest system on the ground as well as standing. In your comments, I sort of felt like you felt that this was not adequate or maybe was not to your acceptable standard as a scientist. Would you comment on that?

Ms. LOMBARDI. I used to be known as the snag queen. I am—

Mr. COOLEY. You were known as a what?

Ms. LOMBARDI. The snag queen, I feel like I have spent my life talking about snags.

[Laughter.]

Ms. LOMBARDI. You know, some places—in fact, I just talked to the Palouse Ranger District ranger last night about his particular sale and he was telling me about how they are going to leave snags in clumps and scattered over the landscape, and obviously, you know, there have been great strides made in providing this piece of habitat for animals in logging systems. We run into things like safety concerns for loggers, which are big concerns and so we want to make sure that we stay away from safety concerns of having snags left in a unit. But in general, I see great strides moving forward in the last five to eight years on leaving snags. Whether the numbers are adequate or not surely depends on every individual sale. I do not think the Clearwater Forest overall snag guidelines, which were adopted in 1987, remember, they do not seem to be adequate when you take into account some new information, especially out of the Forest Service's research station in LeGrande, Oregon. But you know, those are just minimums and they can manage above that, and it looks like there is some attempt to try to manage above that. So that is good.

You know, if we went straight down to the minimum on all of these resource protective measures that we try to take on the Forest Service sales, the problem with that would be you would have all these minimum—minimum, minimum, minimum, minimum—and that does not really give you much room to play if we are wrong about our minimum numbers or if we just have not thought the situation through well enough. So what I would encourage the Forest Service to do on all of these sales is to make sure, you know, if they can get above the minimum, great.

Mr. COOLEY. Let me kind of cover the other side of the thing. As a researcher and a scientist in this area, do you have any input into the Forest Service? Do you have any studies that show that what they are doing is not adequate or is this some feeling that you have that it is not adequate?

Ms. LOMBARDI. No, I do not. There is a researcher named Evelyn Bull at the Forest Service Research Station in LeGrande, Oregon, who has done a lot of work on snags, and I have some of her papers and I am sure the Forest Service personnel on the Clearwater also have her paper. And I do not think that this is a problem that I alone see. When I talk to Forest Service personnel, you know, they all see it too; yes, we are working on maintaining our snag numbers and figuring out how to leave them on the landscape so that they are useful and not just left out there to make us feel good. So yeah, I think there is a lot of data out there and I see a lot of response to that.

Mr. COOLEY. So basically we can conclude sort of that the Forest Service is not doing such a bad job today?

Ms. LOMBARDI. That is correct, I think they are doing a much better job. And even in private industry, I do not want to fault them either. I know Potlatch has an excellent wildlife biologist on their staff who is working on these issues as well. The problem becomes of course that snags alone, you know, that is good, we are

going to try to maintain some animals, but the animals that use snags use other forest components and also there are other forest components that are not snags that are used by other animals.

Mr. COOLEY. Ms. Chenoweth has asked for an additional minute.

Ms. CHENOWETH. I was wondering if Mr. Mallory, Mr. Willhite, Mr. Irby and Mr. Hitchcock would mind responding to this Committee to the testimony of Dr. Minshall, and why his ideas will or will not work, for our own edification. The thing that I am concerned about is that we build a consensus and that we learn from each other. And I know you and know the years of experience that you have, and so because time will now allow me to ask you these questions from the panel, would you mind responding to the Committee.

And then one final question, I would like to ask Mr. Hitchcock, you mentioned a \$490,000 price to put more gravel on a graveled road. What was the ultimate outcome of that graveled road?

Mr. HITCHCOCK. The sale has not been sold yet. This is just strictly a proposal that is going forward and that is what they are going to use as mitigation to try to save salmon, is to put this \$490,000 worth of gravel on 9.5 miles of road that is already graveled.

Ms. CHENOWETH. And Mr. Hitchcock, will that road remain a permanent road or is it a 2477 road, or is it a newly constructed road?

Mr. HITCHCOCK. This is a road that proceeds from Burgdorf down the Salmon River on the creek.

Ms. CHENOWETH. OK.

Mr. HITCHCOCK. So it is a permanent road that has been there, I am not sure how many years.

Ms. CHENOWETH. And you will be able to haul over that road, permits have been granted from NMFS?

Mr. HITCHCOCK. If you gravel it.

Ms. CHENOWETH. If you gravel it. All right, thank you.

Mr. HITCHCOCK. National Marine Fisheries has not approved this sale yet. This is just one of the six sales that the Forest Service we understand is proposing to sell, but National Marine Fisheries and Fish and Wildlife Service have not given the go-ahead for the Forest Service to sell any of this.

Ms. CHENOWETH. Mr. Hitchcock, how long has that sale been up, how long has this been going on or how long has their approval been pending?

Mr. HITCHCOCK. I was told that they had verbal approval about five or six weeks ago, but it has not been followed up with written approval.

Ms. CHENOWETH. Thank you. But it has been pending how long, the sale and the whole approval process?

Mr. HITCHCOCK. Well since, as far as I know, this spring.

Ms. CHENOWETH. All right, thank you.

Mr. Willhite.

Mr. WILLHITE. I would like to quickly respond to some of the claims the doctor mentioned. On the Nez Perce Forest, there was a watershed study, rather extensive, lasted for over ten years, in a drainage called Horse Creek. In the Horse Creek drainage, the Forest Service went in and built roads with what then was state-

of-the-art technology. We do it better today than they did it then. And then they went in and logged this drainage, and they had a control drainage called East Horse Creek I believe, same type drainage. And this was a study that spent literally millions of dollars to see what kind of sedimentation, what kind of erosion we would get with current road-building and logging techniques. The sedimentation that they could attribute to the logging was statistically non-significant, they could not even measure the sediment for logging. Incidentally, this drainage is in one of the most erosive areas in Idaho. The sediment that was attributed to the stream system from the road-building was barely significant. And as I say, we have better road-building techniques today. Rick Stohl was, I do not know if he still is, the Region 1 fish biologist. He said that in his opinion we could go into an unroaded drainage, build the roads and log the timber that should be logged and you would not even be able to measure the sediment to a statistically valid sample. So we have got techniques today—we keep getting beat up with what happened 20–30–40–50 years ago. We do not do that any more.

Mr. COOLEY. Thank you.

Mr. CREMEANS. Could I ask unanimous consent for one minute?

Mr. COOLEY. Yes.

Mr. CREMEANS. I would like to—I noted with keen interest, Dr. Minshall, that you did not condemn either side. I have looked—I would like to solicit your comments because as you well know, we have to try to balance this issue and yet we have to answer these people. And you are not the minority, as far as I am concerned. I value your testimony and if you have any concluding remarks to share with us, I would consider those considerably valuable.

Dr. MINSHALL. Well, I appreciate the opportunity for summarization, but I do not believe that I could add anything more. I would just simply say that a more balanced approach to this salvage logging legislation is going to be to the benefit of all, and that I think that the present limits on salvage logging are inadequate simply because they do not protect the resource enough. If this hearing starts things moving, as all of you on the podium suggest that it will do very soon, it could mean devastation on the other side. There is not adequate balance in the salvage logging legislation. That is my concern.

Mr. CREMEANS. Thank you.

Mr. COOLEY. I want to thank this panel very much for your testimony. All of your written comments will be in the record, and this panel is excused.

The next panel is Ms. Danielson, Smith, Rosenberg, Medberry and Hammond.

For the record, I want to make a statement that Senator Kempthorne has written testimony that I am going to enter into the record.

[The statement of Senator Kempthorne may be found at end of hearing.]

Mr. COOLEY. Ms. Danielson.

**STATEMENT OF THE HONORABLE JUDI DANIELSON, STATE
SENATOR, COUNCIL, IDAHO**

Ms. DANIELSON. Thank you, Chairman Cooley, Congressman Chenoweth, Congressman Cremeans, thank you for having me. On behalf of the Idaho State Senate, we are honored to have you here in our state.

There are several supplements added to this and it is from the Western States Legislative Forestry Task Force along with some of the resolutions passed over the last few years. A letter that goes to the administration was drafted last week with some of your member legislators.

My name is Judi Danielson and I am a member of the Idaho State Senate, I am the Vice Chairman of the Senate Resources and Environment Committee, also a member of the Western Legislative Forestry Task Force.

While grateful for this opportunity to appear before you today, I am also very frustrated and angry with the direction that the administration has taken in regards to the issue of timber salvage. Before I begin specific comments, please allow me to provide a little history and some facts from my district in central Idaho. Ninety two percent of the 729 million acres the United States owns is located in the 12 western states. Idaho is approximately 65 percent public land, comprised about 33.8 million acres of Federal land and 2.7 million acres of state land, with a population of just over one million people. The five counties that I represent in my legislative district contain up to 88 percent Federal lands and up to 93 percent public lands. I would comment there, that means only 12 percent of it is privately owned and supporting the whole county basically. We have a lot of public land.

As these numbers indicate, the economy of these five counties is almost entirely dependent upon natural resources. The closure of two sawmills this past year and the prospect of three more closures has caused a great amount of concern among the citizens I represent. Already, these closures have lead to the imminent abandonment of railroad service to this portion of central Idaho. Without the railroads, which currently provide central Idaho with its most cost-efficient means of commercial and industrial transportation, it is financially prohibitive for any of our industries, whether it be agriculture, timber, mining, et cetera, to continue operations.

In 1994, we experienced a number of wildfires that proved devastating both to my legislative district as well as to the entire state of Idaho and the nation. But after seven years of drought and bug infestations, the salvage language of the 1995 rescission legislation looked as if it were intended to expedite a critical need to meet a hazardous situation, as well as to provide somewhat of an economic relief to communities we are killing in the process-driven atmosphere.

For example, if immediate salvage of burned timber from the Payette National Forest had been taken in 1994, crews could have easily harvested 400 million board feet of merchantable timber. This timber, even by conservative estimates, would have netted the Federal Government approximately \$80 million. Gross revenues from this particular missed opportunity would have also provided

those Idaho counties affected by the 1994 blaze with \$20 million. This is the county that has 12 percent private land now.

Today, however, the available salvage volume will not exceed 100 million feet and the value of that 100 million feet will likely not even be \$10 million due to the decay of burned timber during the year-long delay of offering the timber for sale.

The net loss to the counties for school and road building as a result of this bungled approach to salvage timber harvests will easily exceed \$17.5 million. Our children lose. I do not like the idea of participating in a program which gives our children in Idaho or the northwest a substandard education.

It is absolutely deplorable that we have a piece of legislation signed into law and then the administration proceeds to instruct the germane agencies and others to actually work under a memorandum of agreement. The intent of this legislation versus the implementation as outlined in the memorandum of agreement only creates further division between the people and the agencies of the United States.

By imposing a morass of rules and regulations for salvage timber removal and not allowing managed treatments by the professional land managers, we set the stage for catastrophic results. Our legacy will be unhealthy forests and the abandonment of rural America by its government.

As long as we drag and forestall the salvage implementation, we miss the value of salvage and then the Federal Government must pay either to fight yet another catastrophic fire or critter control.

A year ago, I co-chaired a Forest Health Conference in Spokane, Washington. The message from that conference was:

The inland forests today do not look like those when the first settlers arrived. They contain many more trees, primarily of different species.

Fire prevention has led to this overstocking problem, along with massive buildups of fuel.

Insects, disease and fires are at unprecedented levels in inland forests. The current conditions make these forests unsustainable. We are at a crisis point.

Scientists have solutions to these problems. Main emphasis was on returning forest stands to their "historic range viability" through active management practices which mimic nature. These include careful thinning, selective logging, and prescribed fire.

Each forest stand needs to be evaluated as to its need to return resilience and sustainability to our ecosystem. One prescription does not fit all.

As a result of the memorandum of agreement, the west is now in bondage with process. Congressional intent for implementing the salvage of dying and dead trees has been violated by the memorandum of agreement. Furthermore, the credibility of the administration and its enforcement agencies is seriously jeopardized by this back door attempt to circumvent the laws instituted by the representatives of the people. In short, I believe this approach utterly lacks common sense and fails to consider the common good of our citizens.

By this action, the administration only continues to fuel the growing division within this great country over natural resource is-

sues, not to mention issues of public trust, governmental honesty and political integrity.

In Idaho, we no longer see the U.S. Government agencies working with our elected members of Congress or being fair to its people in the west, and we want this agreement removed from the salvage of dead and dying trees immediately.

I thank you for the opportunity.

[The attachments to statement of Judi Danielson may be found at end of hearing.]

Mr. COOLEY. Thank you, Senator. Don Smith.

STATEMENT OF DONALD SMITH, ALLIANCE FOR THE WILD ROCKIES, BOISE, IDAHO

Mr. SMITH. Chairman, I want to express my sincere gratitude in having the opportunity and privilege to address the panel today. I want to look at some economic issues pertinent to salvage logging, but first of all a short introduction on myself.

My name is Don Smith, I live in Boise, Idaho and I am employed by the Alliance for the Wild Rockies. The Alliance supports sensible economic and environmentally sensitive logging on our national forests. We are pursuing diverse and sustainable economies built on quality of life issues. Quality of life issues is the foundation on which Idaho stands and that is an issue in which all of us here in this room can agree upon. I think we can work with a consensus from that perspective. Where our economy is a detriment to our quality of life, it is not a good economy and we need to look at things.

I want to talk about the Boise River salvage sale, which is currently the largest in the country and the largest in the history of Idaho. It is currently a national model for salvage logging in the United States. Originally, it was projected that this salvage sale would generate \$65 million in revenues for the national treasury. As of now, 90 percent of the volume of that sale has been sold. Therefore, we know if the remainder of what is there is sold, which it may not be, the revenues generated will amount to half of what was originally projected. We also know that the cost for this sale does not change very much as a result of the lower revenues. In other words, what we have here is a deficit on this sale of \$30 million. It will cost the taxpayers \$30 million to proceed through this sale.

In addition to that, originally they were targeting 263 million board feet. At best, they will cut 185 million board feet. It would seem that the salvage timber is not wanted. In many cases, there were no bids. In other cases, the timber was driven so low that it was not—it made no sense to sell it. As a result of that, the 185 million that is likely to sell, it could only sell at a subsidy—being subsidized by the taxpayers.

As far as the timber shortage in Idaho, it is just not true that there is a timber shortage in Idaho. Right now the market is flooded with timber. Through the 1980's and 1990's, timber harvest in Idaho has remained consistently the same. In the last three years, it has amounted to 1.8 billion board feet.

We also know that jobs within the industry have grown by three percent in 1983 and from—three percent in 1994, excuse me. From

1983 to 1994, it grew by 15 percent. So we are not losing jobs, we are seeing increased jobs in the timber industry.

We also know that the timber industry does not play the role in the Idaho economy that it once did. It represents four percent of the personal income in the state of Idaho. Recently a GAO report indicated that Idaho's national forests for the last three years ran or operated on a deficit of \$94 million, a classic example of the Federal Government subsidizing the state of Idaho.

In addition to that, we know that corporations, at least the big corporations, are setting record sales and profits this year of 43 percent. In the meantime, the little guy, the mills in Salmon, Grangeville, Council, Bonners Ferry are forced out of business. We have a case here where big government is supporting big corporations.

In essence, salvage legislation picks the pockets of the taxpayer to stuff the coffers of the corporations. It is called corporate welfare. Again, the big government, the Federal Government, is assisting the big corporations at the expense of the small guy in Idaho. We do not need salvage legislation. It pits one economy in Idaho against another. In the final analysis, salvage logging is bad economics. For Congress to think that it can wave a magic wand and do away with market forces is to live in Alice in Wonderland. What is needed here is a reality check.

Congress ought to dump the boom and bust forestry practices of the past. What we ought to be doing together, collectively, as a society, is to support sustainable and diverse economies in Idaho, ones that will protect rural America, our landscape and our quality of life.

Thank you.

[Applause.]

Mr. COOLEY. I do not want to have any more of that. If I do, you will be removed.

[Laughter.]

Mr. COOLEY. Just do it again and you will find out.

[The statement of Mr. Smith may be found at end of hearing.]

Mr. COOLEY. Mr. Rosenberg.

STATEMENT OF BARRY ROSENBERG, INLAND EMPIRE PUBLIC LANDS COUNCIL, SPOKANE, WASHINGTON

Mr. ROSENBERG. Mr. Chairman, distinguished members of this Committee, thank you for allowing me to participate in this hearing today.

My name is Barry Rosenberg, I am the Director of the Forest Watch Program for a group called the Inland Empire Public Lands Council in Spokane, Washington. I am also on the Board of Directors for the Selkirk-Priest Basin Association in Priest Lake, Idaho where I live and have lived for 20 years.

I live in a remote area of Priest Lake and before I got this job, I was a logger and a reforestation contractor and worked in the woods for about 12 years.

The reason I got involved in Forest Service activities and started monitoring them is because the Forest Service put a very large timber sale in the drainage where I get my sole source of domestic

water. The Forest Service promised me that was not going to impact my water supply. Eight years later, my water is still muddy.

I do believe, and agree with you, Congresswoman Chenoweth, that there is a conspiracy, but it has nothing to do with black helicopters. There is a deliberate attempt to facilitate corporate control over our public lands and I see Section 2001 of the rescissions bill, what we call logging without laws, as the vehicle for that kind of conspiracy. It removes the only effective impediment to corporate control of our national forests and that is environmental laws and public oversight, under the guise of forest health and salvage logging, which we believe sincerely is a hoax.

On July 10, 1995, in an interview in the *New Yorker* magazine, Congresswoman Chenoweth said that "We are fighting for our freedoms and our liberties and our way of life." Is it not ironic, or is it just calculating that those who make the loudest noise for freedom and liberty are those who are dismantling the democratic process and moving the country closer to a corporate state?

Section 2001 of Public Law 104-19 undermines the very essence of democracy. It denies the owners of the public forests their right to have a say in its management.

The other concern is that there is a lot of talk about selling Forest Service lands or donating them to the state. I live in Idaho, I am familiar with the Idaho state laws. There is no appeals process in Idaho and currently there is a law on the books that prohibits individuals from challenging any state timber sale in the courts. Again, it would freeze—the lack and the undermining of democracy would freeze the rescissions bill ad infinitum.

At first, I used to think a long time ago that the Forest Service was responsible for the management and the mismanagement of our national forests. But I have gotten enlightened and I believe the influence by politicians beholden to corporate interests like that demonstrated by the rescissions bill, is largely responsible for the disastrous management policies on public forests. The *Spokesman-Review*, a conservative newspaper in Spokane, Washington in an editorial on November 28, 1993 said, and I quote, "The U.S. Forest Service which he [and they are referring to Tipper Pinchot] founded, has degenerated into a tool for the logging industry. Over the years, powerful senators and congressmen browbeat local forest managers into swallowing conscience and regurgitating logs.

"The logging companies appreciated the profits. County governments appreciated their cut of the timber sale revenue. Constituents appreciated the jobs. The politicians appreciated Big Timber's campaign contributions.

"What a system. What a mess. What a betrayal of the public interest and Pinchot's legacy."

What can the public expect from this bill? I have a picture here that was taken very recently of the 4th of July fire salvage sale in the Kootenai National Forest. This is a preview of coming attractions. Post-fire logging means large clearcuts. They have clearcut up to 1200 acres in these drainages. This area had been logged before and the fire started as a result of the Forest Service's burning policy.

We are going to see more of this. This is in the Yak Drainage on the Three Rivers Ranger District. They are planning an addi-

tional 4270 acres of post-fire logging in this drainage—in other drainages, and some of them are roadless drainages.

I just would like to say it has been said by many people that there is a great need for this burned timber and that it is ecologically sound to go ahead and log it—the Colville National Forest, in referring to the Cooper Butte fire salvage sale, that is up in Republic, Washington, it burned again in 1994. The Forest Service says this about the fire, they said, “The Copper Butte fire has done an excellent job of providing sites for the establishment of young trees... Overall the fire had a positive effect on forest health... Salvage of dead trees does little to improve stand health and vigor.” They justify this logging job for an economic return to the community. They put this thing up for bid one time at half the price of what they estimated it would go for in the environmental assessment. There were no bidders. They reduced that price down to \$41 a thousand. A second time they put it up, there were no bidders, even though Boise Cascade was clamoring with ads in the newspaper almost on a daily basis, “What a waste it is to let these burned trees stand without logging them.”

I just want to conclude that we hope that this panel has listened to the side of the story that was presented by the non-timber industry interests and will reconsider the potential damage done by logging without laws, and perhaps endorse the bill soon to be introduced in Congress, which is going to repeal Section 2001 of the re-scissions bill.

Thank you very much.

[The statement of Mr. Rosenberg may be found at end of hearing.]

Mr. COOLEY. Mr. Medberry.

STATEMENT OF MIKE MEDBERRY, FRENCH CREEK, BOISE, IDAHO

Mr. MEDBERRY. Mr. Chairman, members of the Task Force, thank you very much for inviting me to testify before your Committee, before your Task Force. My name is Mike Medberry, I am a free lance writer, I live in Boise, Idaho and I have been involved in conservation issues in Idaho since about 1980.

I want to say a little bit about the salvage rider that actually deals also with Option 9 timber sales and with Section 318 of the 1990 appropriations.

The salvage rider, in my opinion, is a real meat cleaver approach to public policy because it restricts judicial review, it virtually eliminates public input into this aspect of public land policy. It negates laws intended to protect the environment from damage from logging practices and it encourages subsidized offerings of publicly owned timber. Whenever I read in a piece of legislation that it will go forward “notwithstanding any other provision of law,” I know that I am dealing with a ham-fisted public policy. There is absolutely no subtlety here in this salvage rider. With this rider, Congress intended to clear every hurdle to providing cheap timber to the timber industry as quickly as possible—nothing more.

And the administration, despite what I have heard here today, is hardly dragging its feet. Salvage logging on the Boise National Forest is moving at a lickety split pace despite its not falling under

the purview of the rider. The Payette National Forest is not far behind. Already, the Boise has offered approximately 215 million board feet of timber this year, far more than twice the Forest's allowable sale quantity of 85 million. To suggest, as some members of Congress have done, that timber supply is limiting production is absolutely ludicrous. The Boise Forest has sold 817 million board feet since 1990, most of it fire salvage volume, with its forest plan project sales of 510 million board feet in that time. That is a huge windfall that I think goes mainly to the timber industry.

The most egregious policy problems created by this logging without laws rider, as Barry called it, is best shown by example. My example and the area I know best in Idaho is the French Creek timber sale in the Payette National Forest. This timber sale is proposed in the Main Salmon EIS, which is expected out any day now. I know the French Creek country quite well and have walked through the timber sale areas about seven times since drainage burned over last summer.

At the insistence of members of Congress, the Payette hastened salvage logging plans in the French Creek area before the agency had good on-the-ground information about tree mortality. The fire perimeter, along with very accurate fire intensities had been well mapped by the end of last year, but much of the forest within that fire perimeter remained unburned and the Forest Service inaccurately projected tree mortality. So when Congress insisted that the Forest Service tell them how much could be logged, the agency grossly over-estimated the volume of dead trees that were out there. For the French Creek sale, the agency projected in excess of seven million board feet of timber and a total of 46 million board feet for the five timber sales that are part of the Main Salmon post-fire EIS, the draft version, that is.

The more refined Forest Service sale appraisal, which is on-the-ground cruising of timber, data from September 20 of this year, identifies fewer than 2.2 million board feet of actually dead trees within the French Creek sale area. Even this projection, however, is subject to a 30 percent sampling error. From my extensive investigations of the area, it is clear that most of the economically valuable old Ponderosa pine and Douglas fir trees in the sale area were not killed by the fire. This was, and remains, a classic example of a healthy mixed conifer forest. Moreover, the trees that were killed were mostly low economic value, scrawny pines, fir and larch, certainly trees that do not justify the helicopter logging proposed. This is a timber sale which has little economic value and which probably will not be bid upon even if it is actually offered. I hope honestly that it is not offered at all.

In contrast to the low economic timber values of the French Creek salvage sale are the high biological values and strong public support for the area to remain wild. These are very tangible public values that have been undermined absolutely by the salvage and logging without laws rider.

I think it would also be wiser for the Forest Service to offer smaller timber sales now since its administrative costs have been reduced by this rider. Offering sales at or below one million board feet would allow the small volume loggers and house log mills, the local folks, to purchase logs that they cannot now afford. While the

big companies are awash in timber, the little guys who log on a more sustainable basis, like Log Products Company in McCall, are going out of business for lack of materials. This is absolutely absurd and I believe unnecessary.

When it comes to defining a policy to address forest health concerns—and I think that is where we are headed in continuing this discussion, please take a broad view of the affected landscape by realizing that a forest is more than timber on the stump and health is more than just logging. Take time to think this through and do not repeat the public policy mistakes of the existing logging without laws rider. Bring people into the process rather than excluding us. Avoid making substantive decisions through obscure budgetary processes. And please stop fostering the anger, the vindictiveness and the hyperbole which is tearing apart Idaho communities. And please avoid burdening us with more lawless policies which are diminishing our natural legacy.

Thank you very much for allowing me to testify.

[The statement of Mr. Medberry may be found at end of hearing.]

Mr. COOLEY. Mr. Hammond.

STATEMENT OF JAMES C. HAMMOND, MAYOR, POST FALLS, IDAHO

Mr. HAMMOND. Chairman Cooley, Representative Chenoweth and Representative Cremeans, I appreciate the opportunity to briefly address you today concerning the Emergency Timber Salvage Act and the effect that the present timber practices have had on the recently announced closing of the Post Falls Louisiana Pacific mill in particular, and the timber industry in general. I want to point out right away that Louisiana Pacific is not a little guy.

My name is Jim Hammond and I am the Mayor of Post Falls, Idaho, a small city of about 13,000, 25 miles east of Spokane, Washington and two miles west of Coeur d'Alene, Idaho. We are a growing community, although still a good portion of our industry remains with forestry and the grass seed agriculture.

Our city was founded in 1891 by Frederick Post, who was a leader in the north Idaho timber business. He built his first sawmill in 1880 in the area that LP now operates, at least for a couple more months. Most of our citizens, like many small communities in northern Idaho, make their living in forestry related practices. People of northern Idaho and the northwest, have a great deal of respect for the forests. The forest are why we are here, not just because it provides jobs but because it provides outdoor recreational opportunities, family opportunities, some place for isolation and peace. We clearly recognize our responsibility for the stewardship of the land, but we are keenly convinced that proper forest harvesting and recreational activities complement one another. We are, therefore, concerned, that ours is a way of life that is being severely threatened by unnecessarily restrictive forestry practices.

The Post Falls Louisiana Pacific sawmill has been operating for close to 90 years. This company has indicated that the closing of the mill at Post Falls was mainly due to the lack of available timber at a reasonable cost. The availability of timber for the mills in 1995 is 20 percent of what it was in 1989, and as a consequence prices have risen. Without a reasonably price log, the plant became

too marginal to operate and 113 people lost their jobs. A sawmill in Walla Walla, Washington was closed for the same reasons. I just heard some testimony today that statistically people are not losing their jobs. Perhaps that gentleman would like to address my 113 families and tell them that statistically they are not losing their jobs.

What does the closing of this plant mean to the people of Post Falls? When you lose your sixth largest employer and maybe the business which paid the best compensation job-for-job, there is a definite rippling effect throughout the city. To what degree and for what duration this accumulative impact will have cannot be yet fully determined. But for the 113 employees and their families, the changes will be profound.

This mill has paid approximately \$90,000 per year in property taxes. Its payroll has averaged about \$4.4 million per year, its operating expenditures were about \$12.1 million per year. That is about \$16.5 million put into our local economy and if we add the multiplier effects, which is estimated to be three times this, the total amount of this impact is better understood. I expect that ripple effect to be a loss of almost \$50 million annually to our area. You see, in north Idaho, the forestry affects 45 percent of our economic activity. Is it any wonder that I as Mayor am dismayed at a Federal Government that does not seem to equate its policies to the fiscal and human impact it has on this area?

There have been an estimated 275 mills close in the Pacific northwest in the past five years, including a half-dozen in my area. If this trend continues, we will see more closures in the near future. There are still six to seven more mills in the immediate vicinity of Post Falls. To those with whom I have spoken, most place the blame for those closures on the continued restrictions to logging in forests which are now more forested than they were 40 years ago. What then is the real purpose of these restrictions? I, as a public official representing people whose jobs depend on this vital industry, cannot rationally answer that question, because I do not believe there is a good rational answer. We have the timber in sufficient supply, and yet we are prevented from harvesting it in a rational manner. These practices can only help the Canadian forest industry to the detriment of our own.

Another concern that I have heard expressed is that without proper forestry practices, we are setting ourselves up for major disasters. Again, among those with whom I visited, it is predicted that major forest fires will occur because the forests are not being properly managed. A fire of the magnitude of those that we have had in this century would be substantially more devastating now than they were then.

One other thing that is of great concern for me is that I believe what is happening is going to have another profound effect on Idaho's small cities. You know, it has taken a good century to build up the infrastructure of the timber industry in the west and the northwest. As each sawmill closes, as each related industry goes under, as people are displaced or retrained, America loses its ability to compete and provide forest products to its citizens. My concerns come from my neighbors and constituents who work in the forest industry and have done so for decades. They say that the

skills and knowledge, and in particular the plant capacity, will be difficult and costly to replace.

I have lost one industry in my city that won't come back and I'm concerned that we don't lose an entire industry as a nation. It is vital that Congress take every step it can to bring forestry management sanity back to the situation where multiple use of this country's resources is important.

I can tell you as a mayor that it is easier and more pleasant to manage in a growing and prosperous economy than in a declining or stagnant one. Forestry agriculture, logging and milling, if you will, is a key industry in this region's economic success.

I would ask you to please help us manage our forests wisely using common sense and please help us to maintain economic viability.

Thank you.

Mr. COOLEY. Thank you, Mr. Mayor. Ms. Chenoweth.

Ms. CHENOWETH. I wanted to address my first question to the Senator. Thank you for being here. You served as Chairman of the Forestry Task Force in Spokane, that came up with some recommendations. What do you see and what came out of that effort that you would like to add to your testimony?

Ms. DANIELSON. Well, Madam Chenoweth, I did skip over in my testimony several points that came out of that forest health conference and I think it was balanced by both sides. It was very interesting to me too. Some of the things that did come out are that fire prevention has led to the overstocking problem along with massive buildups of fuel. This was just right about the time the fires started that we had through the west. Insects, disease and fires are at unprecedented levels in inland forest and the current conditions make these forests unsustainable, at a crisis point.

And there are solutions. That was one of the things that did come up. There are solutions and we can return the forest lands to their historic range of variability through active management practices which mimic the natural setting. It is not just a broad brush cure-all.

In the district I serve, I have portions of three different forests and each one is so different that each supervisor has to definitely have his own ability to operate. That was one of the biggest things. That was the Clearwater and the Boise.

Ms. CHENOWETH. Senator, I wanted to ask you on the state forest lands, what is the cost/benefit ratio there? Are you able to log at a profit on state lands?

Ms. DANIELSON. Congresswoman Chenoweth, I do not have the numbers in front of me right now, but yes, I think we do quite well. We have a different program, it is streamlined. We would not have had serious forest fire problems on state lands had we not been surrounded by Federal land. But we did have many of those sales out by December or so, and there is a process that they go through. Ours goes into an endowment for education, but we have far fewer state lands than we do Federal lands in this state.

Ms. CHENOWETH. Senator, something that J.D. Williams said the other night with regard to his opposition to a bill that is pending in the U.S. Congress on turning the BLM land back over to the state, as they were originally intended to be managed by the states,

he suggested something that I thought was quite thoughtful, and that is that why do we not take just one forest and turn it over to the state to see what kind of management we can see out of that particular forest. Do you think that the legislature would be willing to look seriously at Mr. Williams' suggestion?

Ms. DANIELSON. Congresswoman Chenoweth, I did not hear what he said, only from what you said, but we did discuss that in our Forestry Task Force meeting last weekend, and I think what you will find is the western states that are listed on that supplement probably will agree with me that we would like to be pilot projects like that. We have discussed it for the last year, and that there are going to be case-by-case scenarios. I certainly cannot speak for the other 104 legislators, but I would suggest that that probably would pass, a pilot project like that.

Ms. CHENOWETH. But on your committee in the northwest, there was a consensus of agreement to that, that is good to hear.

Ms. DANIELSON. Yes, I think there was. And when you are in Oregon, I think that you might ask them because I think they probably would want to discuss it too.

Ms. CHENOWETH. Thank you.

Mr. Rosenberg, I wanted to ask you, have you ever been in the Yak?

Mr. ROSENBERG. Yes.

Ms. CHENOWETH. You have walked up there and been on the ground in the Yak?

Mr. ROSENBERG. Yes, I have, Congresswoman.

Ms. CHENOWETH. Do you have an understanding as to why they had to clearcut that area?

Mr. ROSENBERG. I understand they said they had a lodgepole pine infestation of the bark beetle or something like that, yes.

Ms. CHENOWETH. And a mistletoe infestation.

Mr. ROSENBERG. That is what they claimed.

Ms. CHENOWETH. And that and root rot, the only way to take care of it and restore the land is by clearcutting. There is no other method to restore the land, or you will always have the infestation.

Mr. ROSENBERG. That is right, you will, because it is part of the natural cycle of that country. We have lodgepole pine plantations, they go through about a 80 or 90 year cycle where they get infested with bugs, they die, they burn and the fire regenerates the ground, the seed that has fallen on the ground, and lodgepole pine plantations come back up again. It is a natural cycle.

Ms. CHENOWETH. Mr. Hammond, I am very sorry about what has happened to your city and the closing of the mill. We all took that with a sense of shock and dismay. We certainly hope that through the efforts that we are looking forward to that we can see a restoration of the industry.

It is very interesting to note that at the turn of the century, most of these mountains were almost denuded by irresponsible logging practices, and today we have very healthy forests in some areas. There are some areas that are being destroyed also by lack of good forest management. So we hope for better days for you.

Thank you for being here.

Mr. HAMMOND. Thank you.

Mr. COOLEY. Thank you. Mr. Cremeans.

Mr. CREMEANS. Mr. Smith, do you believe that the resolution of Idaho's logging of forests and wildlife issues can be resolved right here in Idaho by Idahoans?

Mr. SMITH. I think there is a good chance of that, yes. At least those of us here in Idaho could take a lead in resolving those problems, and I think it is imperative that we do.

Mr. CREMEANS. Do you believe that many of the participants—not the panel, but the audience—are here as a result of their being excused from their daily workload, as well as they represent the logging industry.

Mr. SMITH. Would you rephrase that again?

Mr. CREMEANS. Do you believe that the number of the participants, excluding the panel, who are viewing these hearings are here as a result of the logging industry's excusing them from their employment today?

Mr. SMITH. That may be true with a percentage of them, I really do not know. It does not concern me a great deal.

Mr. CREMEANS. Do you believe—why do you think, Mr. Rosenberg, that we conducted these hearings?

Mr. ROSENBERG. I cannot read minds or guess your motivations. I would hope that it was to enlighten yourselves on some of the various aspects related to the rescissions bill and salvage logging that is going on.

Mr. CREMEANS. Do you believe that at least some of us have not made up our minds about the future of this industry?

Mr. ROSENBERG. Judging from the vote on the rescissions bill, no; I think a lot of you have made up your minds.

Mr. CREMEANS. Mr. Chairman, I will pass.

Mr. COOLEY. Mr. Smith, the particular salvage or the particular forest that you referred that sold below cost, our information shows that your group filed three different appeals for the salvage to go ahead, which postponed it for a considerable amount of time and lost the value, even though the salvage sale went ahead and was sold anyway, even though it was below cost. Do you think that really benefited since it went on and passed anyway?

Mr. SMITH. Well, it is my understanding that this fire was last summer and that the final ESA was out by December. So the speed at which that happened was quite great. The Forest Service was moving the process along very, very fast. Now I think it is a responsibility on the part of the agency and Congress to ensure that the public has a mechanism that it could use to involve itself in these issues. And so I see that as a process of democracy. And so I think it is of benefit that we have the appeals process there for us. I do not think it slowed down the sale whatsoever, it is happening right now and has been happening for a couple of months. And the fire was as recently as last September. They could not have logged it over the winter and now they are in the summer doing it.

Mr. COOLEY. In your statement about increasing jobs in this territory, I think you had better check your figures because what we see is that timber jobs are in a decline, not increasing. And the job creation you are talking about is certainly not at the same level as you are getting out of the timber industry.

Mr. SMITH. Let me respond to that, if I may. The figures I have come from the U.S. Department of Commerce as well as the Forest Service. I can provide that to you, if you would like. These are not figures that I made up or had someone tell me, they are part of government reports and Forest Service reports.

Mr. COOLEY. Mr. Rosenberg, on your public interest statements, do you really think it is in the public's best interest to allow an asset that belongs to all the people of America to rot, literally rot, and lose its value where if we were able to salvage and harvest that asset in a managed way, following all the environmental laws, that it is really detrimental to the public to salvage?

Mr. ROSENBERG. That is a very interesting question, Congressman. I have here a picture depicting the watersheds of the Idaho Panhandle National Forest. These were logged following laws, the laws were in place, there was an appeals process and so on. Yet the red here represents watersheds that are significantly degraded. The yellow means they are on the verge of significant degradation and the green areas are mostly unlogged and wilderness areas, or lightly logged.

Mr. COOLEY. Who put this—

Mr. ROSENBERG. The Idaho Panhandle National Forest. This is a draft version. The final version was changed very little. Mostly they changed the colors, they did not like the red/yellow scheme and they made it various shades of green.

What I am saying is we have to look at the forest as an ecosystem, as an integral entity that is more than just the trees. Rotting trees are good, they replenish the soils and the nutrients in the forest. Think of how many millions of trees we have removed from the forest and not put back. I do not know if you raise a garden, Congressman, but I am a gardener and my wife is, and we know that we can take from the garden only so long and then you have to put back. We have been taking from the forest for a hundred years and not putting anything back.

Mr. COOLEY. Timber is a renewable resource. Are you aware of Public Law 104-19, have you read it?

Mr. ROSENBERG. Yes, I have, I have read Section 2001.

Mr. COOLEY. Do you realize that there is a mandatory requirement that the Secretary of Interior replant those areas which are harvested, which has never been in legislation before, so we can have a forest in perpetuity.

Mr. ROSENBERG. I understand that, Congressman, but the problem is, I replant my garden every year and if I did not put something back into the soil, I would not have a good garden.

Mr. COOLEY. Well, we are talking about something that takes 50 or 60 years and not something that takes a few months.

Mr. Medberry, you mentioned something about logging without laws.

Mr. MEDBERRY. Right.

Mr. COOLEY. To my right is the legal counsel and I would like him to read something to you. We do not log without laws. Just so you are informed on this.

Would you read that for him, please?

Mr. GIBSON. There have been references to logging without laws from some of the witnesses and for the sake of clarification, it may

be useful to know that Public Law 104-19 was signed by the President on July 27. That law contains Section 2001, and it governs the sale and can govern the sale of salvage timber. Quoting from that law, as part of the environmental documentation that is required for salvage sales to proceed under this law, "Salvage sale documentation" from Section (C)(1)(a), "Preparation. For each salvage timber sale conducted under subsection (B), the Secretary concerned [that means the Secretary of Agriculture or the Secretary of Interior] shall prepare a document that combines an environmental assessment under Section 102 of the National Environmental Policy Act [that is another environmental law.] of 1969, including regulations implementing such Section, and a biological evaluation under Section 7(a)(2) of the Endangered Species Act of 1973 and other applicable Federal law implementing regulations." It furthermore says that that document—I am skipping some here—"shall consider the environmental effects of a salvage timber sale and the effect, if any, on threatened or endangered species, and to the extent the Secretary concerned, at his discretion, considers appropriate and feasible, be consistent with the standards and guidelines from management plans applicable on national forests or Bureau of Land Management districts on which the timber sale occurs."

Now that is environmental law and that environmental law refers to several other environmental laws that require documentation. The logging without laws reference is perhaps a misnomer.

Mr. MEDBERRY. May I respond?

Mr. COOLEY. Yes.

Mr. MEDBERRY. You can also look in the law and notice—well, I am not so good at citing sections, but down here toward the end, there are six laws that are specifically deemed to be met at face value by documentation that is offered. They are the Forest and Rangeland Renewable Resources Planning Act, the Federal Land Policy Management Act, National Environmental Policy Act, Endangered Species Act, National Forest Management Act, Multiple-Use Sustained Yield Act. What this law does is it gives agencies the discretion to be concerned or not be concerned about those laws. And what that then does—I am not an attorney, but I have seen this stuff happen—is that politically it puts enormous pressure on the agencies to do whatever the budget committees would like them to do. And in this case, it has expedited the salvage logging and not necessarily meant that these laws that I just cited would be followed.

Mr. GIBSON. Without getting into a protracted debate, you do refer to sufficiency language and that does deem sufficient by documentation. But the fact is that the documentation is required and the fact is that it does give discretion to the land managers who are on line on the ground, and that is what Congress intended, and it intended this—from my understanding, Congress intended to give that discretion to the land managers in order to expedite the process so some of this salvage volume could be produced before it rots or deteriorates otherwise. This is not green sale volume we are talking about.

Mr. COOLEY. I want to thank the panel for your testimony, we appreciate it.

The last and final panel will come up please. Mr. Bosworth, and you have some people accompanying you—Messrs. Rittenhouse, Alexander, Jahn, Cazwell and John Hughes—and the other panelist is Ronald Litz. Dale Bosworth is Regional Forester of the Intermountain Region, Ogden, Utah and Ronald Litz is Chief, Bureau of Forest Management, Idaho Department of Lands, Boise, Idaho.

Thank you very much. I want to thank the gentlemen at the table right now. I think that probably this is the largest display of brain power that we have had before us and probably will in the future, representing the United States Forest Service and the state of Idaho and I hope that we can get some substance here today. I am sure all of you gentlemen have listened to the criticism and the comments today and I hope that you will benefit from this as well as we are benefiting from it.

All of you have written testimony and of course it will be submitted to the record and we will get the chiefs here, Mr. Litz and Mr. Bosworth, a copy of this proceeding mailed to you as soon as it is completed. I want to tell everybody here that they have ten days to make a comment in order to include it in the record. We have sufficient time to mail things to you asking for additional comments on some of the things we were not able to ask because of the time constraints. So even though the hearing will be completed here sometime in the next half hour to 45 minutes, the hearing is really held open for another ten days. I want everybody to understand that. So if you have some questions, you may ask them of us as well.

So without anything further, Mr. Bosworth.

STATEMENT OF DALE N. BOSWORTH, REGIONAL FORESTER, INTERMOUNTAIN REGION, U.S. FOREST SERVICE; ACCOMPANIED BY DAVE RITTENHOUSE, FOREST SUPERVISOR, BOISE NATIONAL FOREST; DAVE ALEXANDER, FOREST SUPERVISOR, PAYETTE NATIONAL FOREST; PHIL JAHN, FOREST SUPERVISOR, NEZ PERCE NATIONAL FOREST; JAMES CAZWELL, FOREST SUPERVISOR, CLEARWATER NATIONAL FOREST AND JOHN HUGHES, DEPUTY REGIONAL FORESTER

Mr. BOSWORTH. I really do appreciate the opportunity to be here today and we are learning from this. This has been good for me and I think good for the rest as well. It is very helpful and I appreciate the opportunity.

I am the Regional Forester for the Intermountain Region of the Forest Service. I brought some testimony and I have submitted that, and I am going to just very quickly and very briefly run through—summarize what my testimony is. But first, I would like to introduce the rest of the individuals that are with me. I have here John Hughes, the Deputy Regional Forester from the Northern Region; and Dave Rittenhouse, the Boise Forest Supervisor; Jim Cazwell, Clearwater Forest Supervisor; Phil Jahn, the acting Forest Supervisor for the Nez Perce; Dave Alexander, the Payette Forest Supervisor; and Tom Pritchard, who is the Salvage Team Leader for the Northern Region.

I also will be submitting for the record, a copy of the President's directive regarding implementation of Public Law 104-19 and the resulting MOA.

Since the wildfires of 1994, we have been moving aggressively on salvage timber and to restore areas affected by the fires.

In February, Under-Secretary Jim Lyons directed the Forest Service to convene an inter-agency team composed of the BLM, EPA, Fish and Wildlife Service and National Marine Fisheries Service, to resolve possible impediments to the timely release of salvage sales. And on March 8, the Forest Service, the BLM, Fish and Wildlife Service and National Marine Fisheries Service signed a joint policy letter to streamline the competition process.

In May, these agencies in the area of the Columbia River Basin signed an agreement on how to implement the joint policy by utilizing early consultation bringing the Section 7 process within the NEPA process window. We are trying very hard to implement Public Law 104-19 expeditiously and aggressively.

As directed by the President, the Forest Service, the BLM, the Fish and Wildlife Service, the EPA and National Marine Fisheries Service entered into an agreement on August 9 that outlines procedures to streamline the consultation process.

This MOA reaffirmed our commitment to maintain forest health and ecosystem integrity while achieving the maximum achievable salvage sale volumes. Forests in Idaho and western Montana like the Boise, the Kootenai and Payette have been hit pretty hard by large fires and then we have forests like the Dixie Forest in Utah that has been hit real hard by insect outbreaks. Salvage is one of the tools that we are trying to use to restore the forest health in the national forests.

National and regional teams can move quickly to develop processes for implementing timber salvage. These teams were able to quickly review the direction in the MOA and move quickly forward implementing strategies to the national forests. The regions are using geographic information systems to display salvage sales and streamline communications with the other agencies so that they can set priorities and hopefully streamline the process.

We are monitoring accomplishments and reporting them bi-weekly. We are monitoring our personnel needs and will use the authority in Public Law 104-19 to supplement the current work force if we need to.

As far as results, nationally we expect the program to produce 4.5 billion board feet. This figure could change as a result of several factors; for example, the ability to acquire the needed work force, market fluctuations, rapid deterioration of dead timber, verification of volume estimates, weather, fires, such as that during this process.

We have had some sales that have not had bids. And we have been reworking these timber sales and re-advertise them and in many cases such as on Boise, we have sold them.

We are involving the public or involving other agencies in the process as much as we can and our role is to maintain good working relationships with both the other agencies, the communities, the public and do a good quality job.

I would be happy to try to answer any questions.

[The statement of Mr. Bosworth may be found at end of hearing.]

Mr. COOLEY. Thank you, sir. Mr. Litz.

STATEMENT OF RONALD LITZ, CHIEF, BUREAU OF FOREST MANAGEMENT, IDAHO DEPARTMENT OF LANDS

Mr. LITZ. Mr. Chairman, members of the Committee, my name is Ron Litz, I am the Bureau Chief for the Bureau of Forest Management for the Idaho Department of Lands.

The Department of Lands administers approximately 2.5 million acres of endowment trust lands. Approximately a million acres of those are forested. The Department's primary mission is to manage these lands for the various endowment beneficiaries to maximize long-term revenues.

To fulfill that mission, the Department administers an efficient and professional forest management program. We offer approximately 193 million board feet of timber for sale each year and although our sales generally consist of healthy timber, we do give a very high priority to salvaging dead and dying trees whenever it is environmentally and economically feasible.

The Department solicits public comments on our sales. Professional foresters prepare each sale with the assistance of a cadre of specialists and we do contract various facets of the preparation of those sales, such as timber marking and cruising, especially when we lack the necessary personnel to complete those activities in a short period of time. Although the Department has no formal environmental assessment requirements, we do assess the impact of our activities on the forest, air and water quality, fisheries and wildlife, cultural resources, aesthetics and roads and traffic patterns. In areas where we have threatened and endangered species or other unusual circumstances, we do convene an inter-disciplinary, often inter-agency, team to help the resource managers develop an appropriate management prescription. We then follow up our sales by inspecting each of them throughout the sale process. The Department also monitors the implementation and effectiveness of forest practices through yearly forest practice audits and a joint inter-agency, inter-disciplinary audit every four years.

A management plan, impact statement, stumpage appraisal and development package is completed for each of our sales. Large sales, which are over a million board feet, are submitted to the State Board of Land Commissioners for their approval. The Director of the Department of Lands approves smaller sales. The large sales are advertised for four consecutive weeks before offering for sale at public auction. The smaller sales and large sales that have salvage of distressed and dying timber are advertised for only one week. The Board only meets once each month, so when we are dealing with distressed and dying timber, that timing of those submissions of those sales is critical.

Salvaging distressed timber is critical if the Department is to meet its mission of maximizing revenues to the endowment funds. Salvage efforts improve the overall forest health. Each year we complete extensive surveys which identify trees killed by insects, disease and windthrow. As these groups of dead and dying trees are found, sales are prepared and sold before the wood deteriorates. When the mortality is caused by bark beetles, we can often remove the insects from the woods through the salvage effort and thus prevent further attacks. These efforts, coupled with our active timber management program, are establishing endowment forests that are

healthy and resistant to attacks by insects and disease. The Department has been extremely active in the past in salvaging distressed timber caused by the spruce bark beetle outbreak around the McCall area, the western white pine beetle in the Boise Basin area and the Douglas fir bark beetle in northern Idaho and around Idaho Falls.

The summer of 1994 provides an excellent example of how the Department of Lands functions when salvaging distressed timber. Extensive forest fires occurred throughout the summer. We estimate that we lost about 43 million board feet of timber on about 14,000 acres of state endowment lands in 1994. Most of our personnel were actively involved in the actual fire suppression activities through September and as soon as they were released from those suppression activities, we deployed them to start preparing our sales for the sale and salvage of that burned timber. We deployed personnel from northern Idaho into south Idaho while the fires were still smoking in October. We were able to put up many of our smaller sales and have them sold in October. We did have one large green unlogged sale that did burn and we worked with that sale purchaser to modify the sale contract, so that he could remove the burned timber and he commenced logging on that in November. The remaining burned areas were mainly located in environmentally sensitive areas without road access. Our foresters had to complete the timber marking, design the new road systems to provide the access and develop harvest prescriptions covering extensive areas that would use helicopters to remove the timber. We started offering our sales in December and we had successfully completed putting them all up and having them sold by March. Harvest activities started almost immediately and I am happy to tell the Committee that we are approximately 65 percent completed at this point in removing that distressed timber. Our ability to expedite the salvage of dead and dying timber, whether caused by fire, insects, disease, whatever, has saved millions of dollars for the state endowments.

We do have one area that burned that we have been unable to offer for sale and that area is an isolated 640 acres on Contux Creek on the south fork of the Salmon River and it contains approximately five million board feet of burned timber. The area is surrounded by the Forest Service and the Idaho Fish and Game. There is no road access on endowment lands into the area and the Forest Service will not grant us the necessary rights of way to access the area until they have completed the biological evaluation on our sale and the consultations with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service is completed.

Unfortunately, this process is very time-consuming and cumbersome and we fear that the damaged timber will decay long before the process is completed. We estimate that the public school endowment trust will lose more than a quarter of a million dollars because of our inability to salvage the timber on this isolate parcel.

That concludes my comments. Thank you.

Mr. COOLEY. I would like to tell the panel that some of the questions will be asked to the regional forester and we might have something to ask you directly. It might be better to ask one of the specialists to respond to it as we go through this process.

We will probably have two rounds of five minutes because we have a lot of things we would like to ask. So we will go through the first five minutes and then we will turn and go through another one. I want to give everyone a chance to ask the questions they feel so pertinent to this process.

Ms. CHENOWETH.

Ms. CHENOWETH. I want to thank all of you for being here, and Mr. Bosworth, I really, really appreciate your skills and experience.

What is happening on the Thunderbolt EIS and that sale?

Mr. BOSWORTH. The Thunderbolt EIS, the record of decision was signed by the two forest supervisors yesterday.

Ms. CHENOWETH. Yesterday.

Mr. BOSWORTH. We received—as you may know, we elevated our consultation process to the agency heads a couple of weeks ago, three weeks ago and we got a decision made last Monday, at least we got a letter from the Chief Monday telling us we could move ahead and set up the sale. So hopefully we will have that in the newspaper to advertise in the next couple of weeks.

Ms. CHENOWETH. That is good and I know it took a lot of personal effort and pushing, and I appreciate you for it.

Is the Thunderbolt considered—the board feet in the Thunderbolt, is that considered to be under the new law 104-19? Is that salvage or is it—

Mr. BOSWORTH. It is salvage and it would contribute to that volume under the rescissions bill. Of course, this timber sale before the fire was really out last fall and so when we began processing that timber sale that was long before we had the salvage number. Does that answer your question?

Ms. CHENOWETH. Yes, it does.

Mr. Litz, can you tell me about your fire suppression techniques, in that you have had considerably fewer acres and loss on state lands. What is the difference, why are we seeing less loss on state lands than Federal lands?

Mr. LITZ. Representative Chenoweth, I am probably not the best individual to answer that because it is the Bureau Chief of the Fire Management that handles that. So I am a little bit out of my realm on that answer, but we do use basically the same fire suppression techniques that the Forest Service uses. We are all part of an ICS strategy and we integrate with them all the time in our suppression activities. We do, however, have an aggressive rule of getting those fires out on the initial attack, immediately. And I will, in defense of some of the things that the Forest Service has done, because we do protect private lands and the Forest Service does protect Forest Service lands, in a number of instances that I have been there sharing resources with them, they have given us the resources to protect those private properties while they have been shortened themselves in their ability to do some of their ground.

Ms. CHENOWETH. Mr. Litz, you also mentioned that there is an area of an isolated 640 acres on Contux Creek on the south fork of the Salmon River that contains an estimate five million board feet of burned timber, and the Forest Service will not grant the rights of way until consultation is completed. Having worked with the Forest Service, I would like to just get this out on the table.

Who is the culprit here? Is it National Marine Fisheries Service or what is going on?

Mr. LITZ. Our problem has primarily been with the National Marine Fisheries. The Forest Service has worked with us, in most cases, in a very judicious manner. We have met with the National Marine Fisheries folks trying to get them to come out and meet on the site. I was informed this morning that we finally are going to attempt to go out on the 18th and 19th with those folks and with Forest Service representatives and now also an ID team to try to pin it down right on the site as to what the problem is, why we cannot basically be given a clean bill of health and go. In this specific instance, the road that we are asking for access over is already in place, it is primarily a graveled road and it is in existence. But they have to go through the consultations and everything to give it to us, so we have a few problems.

This is not our only situation where we have had these problems, but—

Ms. CHENOWETH. Now this is a road that is in existence. Is it a 2477 road?

Mr. LITZ. That I do not know.

Ms. CHENOWETH. How far away from the spawning habitat does this road exist?

Mr. LITZ. I do not know the exact location. I have seen it on the map and it has been described for my field personnel, but I cannot tell you the proximity to the south fork of the Salmon, whether it is within 100 feet or whether it is half a mile away, I cannot tell you that.

Ms. CHENOWETH. Mr. Litz and Mr. Bosworth, I want you to know, both of you, that we will be calling for extensive oversight hearings on the activities of the National Marine Fisheries Service. I know they have been a frustration to us and I know that you gentlemen, who are trained in forestry, would like to do your job. We would like to help you do your job.

Thank you.

Mr. COOLEY. Mr. Cremeans.

Mr. CREMEANS. Mr. Bosworth, we flew over the Boise National Forest and the Payette National Forest. Do you have any idea how much we spent fighting those fires in 1994?

Mr. BOSWORTH. Approximately seven million on Payette and about the same on the Boise?

Mr. CREMEANS. A total of \$14 million?

Mr. BOSWORTH. Somewhere in that vicinity.

Mr. CREMEANS. Let me ask you, if you could and would describe your experience of working in consultation with the Clinton administration's salvage implementation memorandum of agreement—take just a minute and explain that to me.

Mr. BOSWORTH. I need to go back a little bit before the memorandum of agreement first, and talk about the expedited consultation process that the agency heads agreed to last spring. Under this expedited consultation process, the purpose is for the agencies to begin working on that to agree on the consultation. If they are unable to accomplish that then the purpose is to move on up to the next level, which would be level two. If it cannot be accomplished

at that level, then it moves to level three, which is my level and then level four is at the agency head level.

The purpose is to streamline this process. Our experience at this point, I guess our one success is going to be on Thunderbolt, which took us a long time to get through. There were a lot of difficulties in being able to get agreement. We were unable to get agreement at the first three levels and finally at the fourth level, we got agreement. It has been somewhat frustrating trying to work through this process. On the other hand, the process is new and we have not had a lot of experience. My hope is that we will get better at it as we go along and be able to resolve those things at the ground level. That is really the purpose of it.

Mr. CREMEANS. Let me ask you how many years you have worked for the Forest Service.

Mr. BOSWORTH. Twenty nine years.

Mr. CREMEANS. Have you ever had any similar agreement before, or do you know?

Mr. BOSWORTH. No, I have not.

Mr. CREMEANS. Mr. Litz, what type of efficiencies could you recommend the Forest Service have in place other than this new salvage plan?

Mr. LITZ. I am honestly not that familiar with their process as to what they are going around. I will tell you that we do use extensive contracting to help us prepare our sales so that we can get them out rapidly. And that really helps us out. We do not have the manpower and the resources to do that, when we have a problem.

Mr. CREMEANS. Curiously, over the past two or three days I guess, I spent some time in another area talking about the merits with some of the reps of combining the BLM and the Forestry Department. Do you have any comment on that?

Mr. LITZ. You mean the BLM with the Department of Lands or with—

Mr. CREMEANS. Yes.

Mr. LITZ. I do know that we have looked at it internally for the land board and we put together some suggestions on what we were looking at. I would be less than honest to say that it scares me just simply because we have a very small, lean, efficient operation and when you start bringing in additional lands that we have to manage, there will be a very long lag for us to get our manpower and resources up to it and you begin to diminish your effectiveness as soon as you increase your level of scale.

Mr. CREMEANS. Mr. Bosworth, do you have a comment on that?

Mr. BOSWORTH. No.

Mr. CREMEANS. You do not have a comment. Can you explain to me why your agency would agree to relinquish its authority and responsibility for making those land management decisions that you alluded to earlier in the day?

Mr. BOSWORTH. The responsibility for the Endangered Species Act implementation for anadromous fish is with National Marine Fisheries, so National Marine Fisheries by law has the—as I understand it, has that regulatory authority. The Fish and Wildlife Service has the regulatory authority over the non-anadromous fish and other species.

Mr. CREMEANS. Do you find that frustrating?

Mr. BOSWORTH. I guess, yes, I believe that we have very good biologists, botanists, soil scientists, hydrologists in the Forest Service, excellent people that know the ground intimately, spend a lot of time there and have got a lot of experience there, and I believe that they make good judgments and they give us good advice. So it is somewhat frustrating to add the time that it takes to go through processing.

Mr. CREMEANS. And in addition to that, we would save some money.

Mr. BOSWORTH. Well, when we lose time, we lose money and we also lose salvageable timber supply frankly.

Mr. CREMEANS. I yield back, Mr. Chairman.

Mr. COOLEY. Thank you.

Can you tell me—you know, the MOA that came out signed by all the different agencies, we had the opportunity to review that documentation, which was really supposedly I guess written in a way to help you—assist you in implementing the salvage law, their interpretation of it as far as the Executive Branch was concerned, and your ability to deliver salvage volumes. Did the signatory agencies suggest modifying what are often incorporated into the salvage documentation under Public Law 104-19?

Mr. BOSWORTH. I am not sure I understand the question.

Mr. COOLEY. Well, we understand the law one way, and we look at the MOA and we look at it in a completely different light. We thought that the legislation that was passed in Public Law 104-19 would assist you in the management, local management of the timber salvage within your region. If you look at the MOA, it looks as if they are actually—they did not accept the law the way it is written, it looks as if they are actually adding more restrictions upon your ability to put out contracts than was originally Congress' intent.

Mr. BOSWORTH. I think that the purpose of the memorandum of agreement is to help us to expedite the consultation process and still allow the salvage to go forward and protect the environment while we are doing it. I think that is what the intent is.

Mr. COOLEY. Well, when Congress created the salvage sale process, we were—you know, we felt that the salvage sales could be started and finished within 45 days. Could you describe me, since you have received the MOA, what is the time period involved in this? I mean, it even talks about that in the legislation.

Mr. BOSWORTH. Most of the sales that we are trying to prepare at this point are sales that were in the process of preparation prior to the passage of the salvage bill and prior to the MOA.

Mr. COOLEY. Well you know what the law says and now you have the MOA. What is your time estimate it is going to take to get through a salvage program?

Mr. BOSWORTH. I think that is going to vary a lot by individual drainage and individual sale area. We do have some areas where I expect to have a fairly quick resolution at our level one process and be able to move forward. But there are others like the south fork of the Salmon River that are fairly controversial and seem to take an awful long time. And at this point, I do not have the experience to indicate that that is going to speed up in those kind of areas with the MOA.

We do have a couple of other fairly large timber sale projects on the Payette Forest, referred to as the south fork of the Payette and the Main Salmon, that we have just got concurrence from National Marine Fisheries yesterday on. So that opens up another fairly large amount of volume, somewhere in the neighborhood of 100 million, that we can move forward. If we had not been going through the consultation process, that would have been available several weeks ago.

Mr. COOLEY. Well, let us make it little simple. If you did not have the MOA and you looked at the law the way it is written right now, would it be easier to put out a sale?

Mr. BOSWORTH. Yes, it would. It would be easier without the MOA.

Mr. COOLEY. So we can conclude from that that the MOAs are more restrictive or appear to be more restrictive than the law, is that true?

Mr. BOSWORTH. Yes, I would have to say yes.

Mr. COOLEY. So I can conclude from that, going to the next step, that the Executive Branch of the government has overridden the desires of Congress when it comes to this type of legislation.

Mr. BOSWORTH. I do not know that I am the right person to answer that question. One could interpret that. Again, I believe that the intent of the MOA was to find a way to help expedite the salvage and to assure the care of the environment as well.

Mr. COOLEY. But the MOAs did not accomplish that. The MOAs actually did not expedite Public Law 104-19, it actually prohibits the implementation of P.L. 104-19 in a 45 day timeframe.

Mr. BOSWORTH. At this point, that has been our experience. Again, I am hopeful that we will get better at being able to work through the consultation process, but that has been our experience at this point.

Mr. COOLEY. OK. I am also out of time, and I would like to move to Ms. Chenoweth. But let me ask you one thing. After being in the Forest Service for how many years?

Mr. BOSWORTH. Twenty nine years, sir.

Mr. COOLEY. Twenty nine years. Do you not find it kind of ironic that the administration of this country does not really trust you?

Mr. BOSWORTH. I had not thought of it that way.

Mr. COOLEY. I thought about it, as we talked today and listened to the debate and read some of the testimony. I find this kind of ironic. I mean if they do not trust you—and I do not mean you particularly, but if they do not trust the Forest Service to do your job that you are trained to do, they ought to replace you. I mean, I hate to say that, but that is true. You as an employer, if you have some employees working for you and you have no belief in their ability to perform their job, you replace them. And I know that is silly, but that is how I look at this MOA, it is telling you that you do not know what you are doing. And Congress certainly did not know what they were doing when they wrote the law, and we went through—I am telling you, you cannot believe the time and the hours that we spent in the Senate and in the House, members of the Floor that were from one end of the spectrum to the other, trying to make this language, make sure that we did not violate any environmental laws, make sure that we made timber available and

we did it within the realm of good management. And here we have a law that we thought we did that with and now we find out that everything we did was apparently wrong and they do not trust you.

Anyway—sorry.

[Laughter.]

Ms. CHENOWETH. Mr. Chairman, I think we need to replace the administration.

[Laughter.]

Mr. COOLEY. We need what?

Ms. CHENOWETH. We need to replace the administration.

Mr. COOLEY. Remember faith is in 1996.

Ms. CHENOWETH. I would like to ask Dave Alexander, what is the status of the Main Salmon and south fork environmental impact statements and economic impact statements and how long has this been in the pipeline?

Mr. ALEXANDER. We began to work on those documents almost before the fires were over and we actually got fire suppression about mid-October last year. Our initial assessment of the situation of course was it was going to be very controversial and we were going to have to do environmental impact statements in both situations. In addition to that, the south fork of the Salmon River was going to require some modifications to the Payette National Forest Land Management Plan in order to allow us to do salvage harvest in that area. We have worked at that through the winter and spring. We recognize that these two documents contain the most valuable of the salvage timber on the Payette. We have worked very hard at it. We have worked with the other agencies involved in the MOA through the season, and as of last night about the close of business, we got a document from National Marine Fisheries that ended consultation. So we I believe are free to go forth. We have been ready to do that for some time.

Ms. CHENOWETH. So the timber then will be offered for sale when?

Mr. ALEXANDER. Well, I intend to have it all up within the month—within a month certainly, but hopefully within the month.

Ms. CHENOWETH. Thank you.

Mr. Jahn, Phil Jahn, are you aware that the regional forester, Mr. Salwalker, was quoted in the Lewiston Morning Tribune as saying that the Nez Perce probably will never be able to provide the 100 million board feet of timber originally targeted in its 1987 forest plan—are you aware of that?

Mr. JAHN. Yes, I did read that.

Ms. CHENOWETH. Do you agree with Mr. Salwalker that timber yields in the Nez Perce should peak at between 30 and 50 million board feet annually?

Mr. JAHN. We would need to reassess our current situation with the plan revision to be able to come up with a definite number. I do not know what that number is.

Ms. CHENOWETH. What was the ASQ that was called for in the plan?

Mr. JAHN. The current forest plan has an ASQ of 108 million board feet per year, and to get back to your 30 to 50 million figure, we are anticipating that we will be able to achieve those figures in

the next several years. But that is a short-term view and we do not know what the long-term possibilities are.

Ms. CHENOWETH. Was there official modification to the plan in your forest, with public hearings and so forth?

Mr. JAHN. We have approximately 20 amendments to the plan, but perhaps the most significant amendment affecting our ability to produce and some of our production costs is the one associated with the adoption of the pack fish conservation strategy.

Ms. CHENOWETH. Now the pack fish conservation strategy has never been authorized by Congress. How do you feel that you must modify the plan that was put forth under the National Forest Management Act to a theory—

Mr. JAHN. That is a question I would probably either defer to Dale or to John Hughes to answer. We were responding to direction at the forest level.

Ms. CHENOWETH. You were responding to whose direction at the forest level?

Mr. JAHN. The direction of the Chief of the Forest Service.

Ms. CHENOWETH. Jack Ward Thomas? Has he directed you to abide by the pack fish program?

Mr. JAHN. I interpret it that way.

Mr. BOSWORTH. The decision on pack fish was signed—amended the forest plans in the Northern Region, Intermountain and the Southwest Region. So once those amendments are completed, then that is the direction for the forest to follow.

Ms. CHENOWETH. And this direction is in writing from Mr. Jack Ward Thomas?

Mr. BOSWORTH. The amendment is in writing, the document that amends the forest plan is in writing and has been signed.

Ms. CHENOWETH. Was there public hearings and public notification?

Mr. BOSWORTH. There was a fairly large amount of public involvement and public participation throughout the last three years or so as pack fish was being developed.

Ms. CHENOWETH. Was this not a significant amendment to the plan?

Mr. BOSWORTH. It was considered a non-significant amendment because of the 18 month period that it was intended to incorporate.

Ms. CHENOWETH. But Dale, it involved an awful lot of land base and a lot of timber.

Mr. BOSWORTH. Our interpretation was that the significance of the effects, since they are only a short period of time, 18 months out of the overall life of the plan, which is 10 or 15 years, that they were short-term duration and the intent is to come up with final direction after the 18 months. That was the purpose behind that kind of an amendment. But the amendment still, and the decision, still involved public involvement. I mean it was not done in isolation.

Ms. CHENOWETH. I see that my time is up. I have many more questions but thank you.

Mr. CREMEANS. Mr. John Hughes, it is my understanding that you have spent at least some time in the nation's capitol, in Washington, D.C., is that correct?

Mr. JOHN HUGHES. That is right.

Mr. CREMEANS. As I sit here and listen to the testimony, it appears to me that we are running up against the grid of the law as written or legislated by Congress, and yet you are also trying to work under the direction of the administration. Is it ever appropriate to deviate from the guidelines when you are preparing salvage sales?

Mr. JOHN HUGHES. Oh, yeah, you can deviate from the guidelines when you are preparing a timber sale, but not a standard.

Mr. CREMEANS. But not a standard.

Mr. JOHN HUGHES. That is right.

Mr. CREMEANS. What do you mean by that?

Mr. JOHN HUGHES. A standard is outlined in your forest plan, this is kind of that bottom line. That is where you will not cross that line to protect a value. A guideline is usually a process that directs how you would go about getting a process or a decision made. The guideline is just that, a guideline.

Mr. CREMEANS. OK. If you and your Forest Service had flexibility to deviate from the current procedures because it made more sense to do so, do you think that would be harmful to the environment?

Mr. JOHN HUGHES. Well, I think we have got a lot of flexibility right now within our forest plans. We cannot go across the law, that is—you know, we draw the line there. We have to make sure that we comply with all the laws, but we have a lot of flexibility in management of the national forests.

Mr. CREMEANS. It would appear to me—and I stand corrected—that in a sense you might be challenging the law, by not acting.

Mr. JOHN HUGHES. Well, we ask a lot—it probably comes up through channels, but we ask a lot how far to go and how we should interpret something, you bet.

Mr. CREMEANS. How much flexibility do you have under this memorandum of agreement?

Mr. JOHN HUGHES. The consultation process, if it is working right, that memorandum of agreement is not necessary. I think a lot of our consultation with Fish and Wildlife Service over in Montana with the grizzly bears, for example, is working very well. We do not need it.

Mr. CREMEANS. But do you have any flexibility there on the policies and procedures?

Mr. JOHN HUGHES. We negotiate and we have flexibility on negotiations with the Fish and Wildlife Service and National Marine Fisheries, but they are the final authority on whether we are doing anything to endanger the species.

Mr. CREMEANS. Mr. Cazwell, I made a comment earlier about Oregonians solving their problems. Do you believe if we closed the doors and let all the groups in this particular room, that we could reach a resolution on some of the issues that we have debated and discussed today?

Mr. CAZWELL. Yes.

Mr. CREMEANS. I think the prevailing mood in the nation's capitol is that states probably should and deserve more of a role in determining issues like this and I hope to see that come to pass. I do not see how we as a Committee and I as a resident of a district twenty some hundred miles from here, in such a short time, could acquaint myself enough to pass judgment on many of the issues

that you as an individual face. With that, I yield back my time, Mr. Chairman.

Mr. COOLEY. Thank you, Mr. Cremeans.

Mr. LITZ, do you know how much land is managed by the Bureau of Land Management in Idaho?

Mr. LITZ. No, I do not know.

Mr. COOLEY. Senator, I hate to call out, but do you happen to know how much that is?

Ms. DANIELSON. I think I may have some information.

Mr. COOLEY. Do you know how much acreage is controlled by the Bureau of Land Management within your state?

Ms. DANIELSON. I have got it somewhere.

Mr. COOLEY. Let me follow through on a couple of things. Do you mean to tell me that you would really resist the turning over of Bureau of Land Management to state management because you may take on additional responsibility? I find it very interesting that you made that statement. You know what the Bureau of Land Management—why they were formed, do you not?

Mr. LITZ. Yes.

Mr. COOLEY. Because we discontinued the Homestead Act.

Mr. LITZ. Correct.

Mr. COOLEY. That land is really supposed to be sold and therefore generate revenue for the state, land that was owned by the Federal Government. And since we did not sell it all because of the mood of Congress at the time we created a whole new agency. The mood of Congress now is to get the Federal Government out of your back pocket. So what we want to do—many of us anyway—we want to turn this land back over to the states and let you manage it at a state level. I sort of felt from your comment—and please correct me if I misinterpreted what you said—is that you do not want that additional responsibility, it might put a burden on your ability to manage properly or something. Did you not?

Mr. LITZ. Yes. It is not that I am opposed to the management or that the Department would oppose it or not do it. My apprehension was is that if today you told me that I all of a sudden have the several million acres of the BLM ground to administer, it takes time to put into place the infrastructure, the personnel, the resources, to get manned up so that you can efficiently manage it. That is why I made my statement. Right now, we are a very lean organization and if you look at the costs that we manage under versus other folks, we are very economical.

Mr. COOLEY. How many acres do you manage now?

Mr. LITZ. About two and a half million acres, of which about a million of it is timber, forested. The rest of it is range.

Mr. COOLEY. So about two and a half that you manage?

Mr. LITZ. Correct.

Mr. COOLEY. How many acres does the BLM have?

Ms. DANIELSON. Are you talking to me?

Mr. COOLEY. Yes, Senator.

Ms. DANIELSON. I do not know the exact number. Essentially in the First District it is mostly Forest Service land.

Mr. COOLEY. But you have no idea how much they hold?

Ms. DANIELSON. I am sorry, I do not.

Mr. COOLEY. I wish I knew, to tell you how much responsibility we might give to you, so you could have a good look at it. I think you should look at that because there is a movement underway, and I think we have a lot of support to give this land back to you and get the Federal Government out of there. And let you manage it, so you put some money back into those counties that need to have some additional revenue. I do not think that we are going to dump it on you in one day, I think there will probably be a transition period. But I think that you should take a look at that because the possibility might come up.

Mr. LITZ. Mr. Chairman, could I respond to that?

Mr. COOLEY. Sure.

Mr. LITZ. I believe that that is why J.D. Williams made his suggestion, was from input from the Department, that you know, if you gave us a smaller entity and let us try it—you know, that was a suggestion, instead of throwing it all at once. But we will do whatever the state legislature and the state Board of Land Commissioners directs us to do.

Mr. COOLEY. OK, I want to ask Mr. Bosworth a couple of things too, while I have the opportunity before my time runs out.

Number one is how much dead and dying and possible salvage timber do you have in your natural forests that you control? Just give me a ballpark, I am not going to hold you to it.

Mr. BOSWORTH. I do not have the exact figure. Our program for fiscal year 1995 to sell, or to offer to sell, was about 350 million. There is a lot more than that that is out there as salvage.

Mr. COOLEY. That is in 1996?

Mr. BOSWORTH. No, that was last fiscal year.

Mr. COOLEY. 1995.

Mr. BOSWORTH. Yes, that was what our target was for last fiscal year.

Mr. COOLEY. Is that on the ground?

Mr. BOSWORTH. That is our salvage target that we had been given or had agreed to salvage in fiscal year 1995, 343 million board feet.

Mr. COOLEY. OK, that is what the target was, but how much is there?

Mr. BOSWORTH. I would say that there is probably several times that amount.

Mr. COOLEY. Several times?

Mr. BOSWORTH. Yeah. And I would really rather give you a closer figure than just guess. I can give you that information later, but it would be several times that amount.

Mr. COOLEY. OK, I would appreciate that. If we were to—a miracle was to occur and we were to tell you that the MOA was rescinded and we were to give you the Public Law 104-19, how much do you think—never mind the policy interpretations and everything else, how much do you think that you could put out—environmentally sound now, not destroy the world—in salvage within your region? Just give us an idea.

Mr. BOSWORTH. I would say—let me think for a minute, but if you took the whole region, I would guess it would be somewhere in the vicinity of 700 million, 600 million.

Mr. COOLEY. So, could I interpret this, and I am not trying to block you into any number, let us just give a general statement—if you did not have the MOA, if you had just the law, Public Law 104–19, you could probably double the salvage and still do it in an environmentally sound way?

Mr. BOSWORTH. That is right. I do not want to say—you know, we are talking about what kind of a period of time that would be limited by manpower and some other things, so that may be over the next say two years or something.

Mr. COOLEY. Realize that the public law would allow you to go out and hire retirees and other professionals to assist you in preparing this salvage sale. We put that in there because we realized that you do have some problems, so we added that to it. As I said, this was a process of a lot of hours of work, a lot of people's input. So we recognize that and we have that in there. So that should not really be a factor involved in this process, should it?

Mr. BOSWORTH. Not all retirees want to come back to work. And I guess what I am thinking is that there are—those kind of estimates I am making would depend a lot of—we have got winter coming on, it is very difficult in some of the areas. So I do not want to imply that we could do something like that in 45 days.

Mr. COOLEY. No, no. I just want to say if you took away the MOA and went back to the law, not taking any other factors, I know there are some time lines involved here. With your estimate, your professional 29 years of experience, with your excellent managers here in the field, you probably could possibly double your salvage and still stay within the environmental laws that protect the environment and benefit the forests.

Mr. BOSWORTH. When you said stay within the environmental laws, that is a question in my mind because—

Mr. COOLEY. The environmental laws under Public Law 104–19.

Mr. BOSWORTH. [Affirmative nod.]

Mr. COOLEY. I appreciate that, I really do.

Mr. CREMEANS. May I ask unanimous consent—

Mr. COOLEY. Yes.

Mr. CREMEANS. I would like to ask Mr. Medberry a question. If you want to just sit right there it is fine. And I have another one for you, Mr. Zaleha.

Do you really believe that you, representing the different groups that you do, can resolve the issues that face Idaho that were highlighted here today, if we were to remove the intrusiveness of the Federal Government? Yes or no.

Mr. MEDBERRY. I do not know. You know, I think people could try to sit down, there would be disagreements, some of the issues that we would be debating have national implications and frankly, Congress is the deciding and governing body that has to make those decisions. But I think we could come to some resolution, but you know, one side or the other is going to get rolled.

Mr. CREMEANS. Mr. Zaleha.

Mr. ZALEHA. I am not sure I understand the question and I want to answer the correct question.

Mr. CREMEANS. I want to know if you feel, in your best judgment, that you as a person representing a specific group here, can raise

all of your issues here in Idaho, within the confines of the state of Idaho.

Mr. ZALEHA. You mean, do we think the state would be more responsive to our concerns?

Mr. CREMEANS. Yes.

Mr. ZALEHA. I think the answer is no. As bad as the Federal Government is, it is better.

Mr. CREMEANS. OK, how about you, Doctor.

Mr. MINSHALL. My concern is that these natural resources belong to all the American public, so they ought to have a say in how they are managed. Now whether that say ought to be disproportional or somehow adjusted to give more weight to social and economic issues is something else. But I really am concerned that we are talking about resources that belong to all the American people and all the taxpayers and their concerns should be listened to.

Mr. CREMEANS. Thank you. Thank you, Mr. Chairman.

Mr. COOLEY. Ms. Chenoweth.

Ms. CHENOWETH. Mr. Chairman, I would like to pursue a line of questioning that was begun by Mr. Cremeans I believe, with regard to the law. Mr. John Hughes, you said in answer to a question that you never deviate from the law. In your mind, what is the law?

Mr. JOHN HUGHES. We have got a whole pile of them out there. There is no shortage of laws.

Ms. CHENOWETH. What is the law?

Mr. JOHN HUGHES. The law?

Ms. CHENOWETH. Yes, that you will not deviate from.

Mr. JOHN HUGHES. Well, we have got the Endangered Species Act, we have got the National Forest Management Act, we have got the National Environmental Policy Act, we have got the rescission bill, we have got probably about 86 others and we try to put them all together and not violate any of them.

Ms. CHENOWETH. Do you believe that a memorandum of understanding has greater weight than the law, than that law created by Congress?

Mr. JOHN HUGHES. I would not think so.

Ms. CHENOWETH. Then maybe you can deviate from the memorandum of understanding and follow the law as passed by Congress, right?

Mr. JOHN HUGHES. Well, there are other things that I have to think about also.

Ms. CHENOWETH. Pardon me?

Mr. JOHN HUGHES. There are other considerations I have to think about also.

Ms. CHENOWETH. Like a paycheck?

Mr. JOHN HUGHES. Yeah, like a paycheck.

[Laughter.]

Ms. CHENOWETH. I appreciate your answer.

I would like to ask Mr. Bosworth, it seems like what we need here is a whole lot less government for you, and we have got a lot more. Under this administration's salvage sale procedures, a great deal of time will be spent with our Federal agencies again consulting with one another. Do you think it would help if we in the Congress changed the law so the Forest Service could do their job by themselves without all the involvement of the other agencies?

Mr. BOSWORTH. It would definitely make things go much easier, much faster. I guess I believe we would do as good of a job environmentally. As I said before, I believe the Forest Service has the best biologists, the best hydrologists, the best soil scientists and others in the country, and know the ground very, very well, and they are very capable of working together and making recommendations and coming to conclusions about how to take care of the environment and how to protect these species that we spend a lot of time talking about.

Ms. CHENOWETH. Thank you. I appreciate that for the record.

Do you know, under the Endangered Species Act, under—I think it is Section M, a section entitled "Coordination with Other Laws," I believe that you already have that authority, but you might have your attorney take a look at it. And I would like to work with you on that, I would like to know what legal counsel is advising you on that section. OK?

Mr. BOSWORTH. Yes.

Mr. Jahn and Mr. Alexander, how—I understand that you are requiring separate EISs for renewal of grazing permits, is that correct, under the NEPA processes?

Mr. ALEXANDER. We are required that we go through the National Environmental Policy Act process before we renew.

Ms. CHENOWETH. Mr. Jahn.

Mr. JAHN. So are we on the Nez. But the reference to EISs may not be appropriate.

Ms. CHENOWETH. Are you aware that not only the original law, but in almost every case that has been upheld by the Supreme Court involving NEPA has strictly stated that it is up to the agencies to perform the environmental impact statements? And I do want to say that I am going to make it a huge project of mine to make sure that the agencies comply, and that the agencies do the NEPA processes instead of putting it on the backs of individuals. It is just too costly. Another thing is, if we do not allow grazing as originally envisioned by Teddy Roosevelt and Gifford Pinchot even, the environmental impact of not allowing the grazing might be very great, and we do not have an analysis on that. The cattle keep the grass and the underbrush, as well as do the wildlife.

Mr. ALEXANDER. Maybe we are not understanding each other. I believe the Payette National Forest is performing those documents themselves, we are not requiring it of someone else. The problem is that we are having to do it before we reissue and with the salvage and the other things that are involved, prioritizing that work to get it done in time is our problem. I am not aware that we have encumbered someone else with that job. If we have, I am not aware of it.

Ms. CHENOWETH. OK, so for the record, as far as both of you supervisors are concerned, you are not aware of the individual cattleman being asked to perform under the NEPA process?

Mr. ALEXANDER. To provide the NEPA documents themselves?

Ms. CHENOWETH. Yes.

Mr. ALEXANDER. I am not aware that we are doing it on the Payette. In fact, I have got a number of people involved in doing that on the forest.

Ms. CHENOWETH. Are you doing a separate procedure for each permit or are you doing an overall assessment.

Mr. ALEXANDER. We are trying to combine them wherever we can and insofar as the law allows. The difference here is that in the past, we have reissued permits without going through NEPA documentation. That is the change that we are making. We are not encumbering others with that job, we are doing it ourselves, but as we have talked today, with the workload that we are going through, the people who work on NEPA for range are the same people who work on it for salvage sales and things of that nature. So we are having a really hard time getting it all done as fast as we would like.

Ms. CHENOWETH. Mr. Jahn, can you respond for the record? Is anyone that you know of in your employ asking for separate environmental impact statements to be done for the renewal of grazing permits?

Mr. JAHN. Well, we are renewing two or three grazing permits, or we are reviewing those and analyzing those this year. And we are doing it ourselves, the same as what Dave said, we are not asking the permittees to do this and we are trying to do it in a way that does not encumber the permittee or would result in any delays in reissuing the permits. So up to this point on the Nez Perce, it has not been a controversial issue with the permittees, to my knowledge, in the way that we are handling it.

Ms. CHENOWETH. I appreciate hearing that. Thank you.

Mr. Bosworth, did you want to add anything to that?

Mr. BOSWORTH. No, I believe the way they are doing it is fairly common, at least throughout the Intermountain Region, and I cannot speak for the Northern Region, but that is the approach that we are taking across the board. I do not believe there is any place in the Intermountain Region where we are asking the permittee to do the environmental documentation. And we are on track to complete that work.

Ms. CHENOWETH. OK. Good. If there is any misunderstanding in the case work that I have been accumulating on this—and I think there may be—I will personally call it to your attention. Thank you so much.

Mr. COOLEY. Mr. Cremeans.

Mr. CREMEANS. Mr. Bosworth, we are told that you made a decision to push the Thunderbolt sale up to a consultation level, the fourth level?

Mr. BOSWORTH. That is correct.

Mr. CREMEANS. Can you describe for us what drove you to do that?

Mr. BOSWORTH. My frustration that we could not come to agreement on level three, basically. It was taking a fair amount of time and I got frustrated and I elevated it unilaterally to level four, which is—this is, in some people's eyes, inappropriate because the view is that all parties should agree to elevate it.

Mr. CREMEANS. Well, let me ask you then, do you feel that that type of thing, elevating it to Washington, D.C., can actually speed up the level of these sales?

Mr. BOSWORTH. On the Thunderbolt sale, we had very good support from the Chief of the Forest Service and a good result in get-

ting that thing off dead center. So in that case, it helped. I would hate to think that moving things to Washington, D.C. would be the way to expedite it.

Mr. CREMEANS. That was my next question.

Mr. BOSWORTH. I do not think that is—I guess my preference would be that we are able to resolve those issues at the level one, at the ground level, with the people who know the land, know the resources. They get out on the ground and look at them, they come to those agreements at that point—that is what we hope for. On the other hand, with this process, at least it gives us an opportunity to continue trying to get that thing resolved. If we cannot get it that way, so in this case, I think it was successful in that we got a satisfactory conclusion. I would not call it successful in that it took a long time to get there.

Mr. CREMEANS. All right, I yield back, Mr. Chairman.

Mr. COOLEY. Mr. Litz, of the 2.5 million acres that the state of Idaho manages, what is your revenue off of that, approximately?

Mr. LITZ. We sold, this past year, between \$70 million and \$80 million, I do not know the exact number, of just timber. We also have revenue coming in from grazing leases, minerals and other things, and I cannot give you that number.

Mr. COOLEY. So, would you say \$75 million?

Mr. LITZ. Yes, that is what I estimate it at.

Mr. COOLEY. Well, if we give you four million acres of BLM land back and you made \$75 million on 2.5 million acres, you are going to look like a real hero with the schools and education. I just thought I would tell you that, so you will know that up front.

[Laughter.]

Mr. COOLEY. So just think about—you say you do not want to take this back—what pressure you are going to be under by the Senate.

Mr. Bosworth, I want to ask one thing. I, as a lot of us here, heard today, and we get this a lot in Washington from the professional environmental lobbyists that we are selling and the criticism of some of our fellow legislators on the environmental task force or committees, that we are selling below-cost timber salvage sales. You heard today several people say that we are subsidizing businesses, small corporations, big corporations—just subsidizing, period. We know, and we are getting more and more informed, that a lot of these low-cost sales, if that is what you want to call it, are really probably not low-cost, it depends on how you are doing your bookkeeping. I spent 27 years in the corporate world and I can make a profit or lose money any time I want to, just by changing numbers around. What I wanted to know is we find considerable emphasis today on timber salvage that marginally maybe is good or bad, but part of the salvage process is requiring helicopters which jumps up the stumpage price by we hear from \$250 to \$300 per thousand board feet. Is this really truly justified or is this a way to take a lot of pressure from certain groups off of you and say we are not disturbing the land? Because we have heard others tell us that it is good to compact the land when you have fire, it is good to leave slash back, it is for the forest, it is good for the floor, et cetera, et cetera. Can you tell me why some of the sales today are

helicopter sales and makes these things unprofitable or make them where people do not want to bid on them.

Mr. BOSWORTH. I would say it probably has to do with both, you talk about that is why we have been doing so many helicopter sales for salvage, there are places where we have salvage and if we are going to care for the land and resources, we need to use a helicopter. There are other places where we are probably using helicopters that it is not nearly as critical but in our effort to try to be able to get these things sold and through and be able to get moving on them before they deteriorate, we have opted in some cases to go ahead and use helicopter yarding in order to be able to get them on the market. So it is really a combination of both. But there is definitely a place for helicopter yarding when that is really the only realistic way that we would have to do it. But I sure would not want to imply that all the sales that we have put up for helicopter yarding fall into that category.

The other thing is that I do not believe we have had sales that have gone unbid because they have helicopter yarding. I think there is a number of reasons why we have had some sales that have not been bid, one of the reasons being the declining market, the declining value and an appraisal system that does not react quickly enough to the dropping market. Another reason might have to do with the amount of allowance that we allow for a helicopter sale, and that being—that may or may not be in the ballpark for a potential purchaser and—I guess what I am saying is there are numerous reasons why a purchaser might not want to bid on a sale. And what we do if we do not get bids, we take a look at those and try to figure out what happened and rework them and get them re-offered. The Boise has been very successful in selling some of the Boise River salvage that they had not sold the first time.

Mr. COOLEY. We have in our possession a summary of watershed monitoring within the Foothill fire salvage logging area, 1992 to 1995. On page 7 in the first paragraph, it says—talks about logging in traditional methods, and I am not quite sure what all that entailed, but traditional methods are certainly not helicopters—talked about the organic material under the soil, the overall improvement on logging with traditional methods protects the watershed conditions because of compaction, things like that. Are you aware of these kind of things or do they play any role in your decision process?

Mr. BOSWORTH. I am very aware of the monitoring that went on that followed the Foothills fire salvage area. I have read through the report. Dave Rittenhouse, the forest supervisor on the Boise, is much more familiar with it than I am but the answer is that we have looked very carefully at that and that has been a very important part of helping us look at the salvage on the Boise River.

Do you have anything to add?

Mr. RITTENHOUSE. No.

Mr. COOLEY. Well, I want to thank the panel for participating in this today, and we are going to submit additional questioning for you. I hope it does not burden you too much. You can also submit additional written testimony to us. We do appreciate it, I think at least the three of us here that were able to spend our time here, since this is our off time, to come and listen to your concerns, your

information. I think we have all been very well educated on both sides of the issue. And I think we are a lot more informed than some of our colleagues when we discuss these problems when we are back in Washington, and we really do appreciate it.

I also want to thank the city of Lewiston for their support of this meeting. I want to thank Representative Helen Chenoweth for her leadership in this and her persistence to make sure that we came out to hear the problems that you have in Idaho, and talk to the Forest Service and other people here who are very concerned about the issues and about the state of Idaho.

I also want to thank the Elks, we really do appreciate the use of your facility—we really appreciate that.

And in closing, I want to say that the Chairman of the Resource Committee, Don Young, I want to thank him even though Don is not here, for giving us the opportunity to come here and see and hear from you and talk about your problems, which we are trying to resolve in Washington.

And in closing then, I want to say one thing, this is the way this thing should work. We need to have input, we need to have your concerns so we can do a better job representing you in Washington. These hearings are not taken lightly, we are not coming here with a predetermined condition that everything is one way or the other and if it appears that way, it is not really so. When we drafted the bill, Public Law 104-19, we literally spent months on this, our time, late at night, staff, in consultation with the environmental groups. We did not make everybody happy on either side of the aisle, but we tried to come to a consensus that would promote the use of salvage in a manner that would be beneficial not only for the economy, for the Federal treasury, for the counties, for creation of jobs, but also for forest health. The consensus was that we get in and get the dead and dying out and leave those things that are necessary, snags and slash piles to protect the forest floor, and to replant, that would be beneficial not only for the local communities but for the country as a whole. And that was the main reason for spending so many hours on this. Nobody, I do not think on any side except a very few, believes that doing nothing is good management. It is not proper use of a resource that belongs to everybody and the people locally should benefit from it, as long as we do it in a managed way. We are never going to make those people happy that believe that we should not even be here, because you cannot change that.

But good management in a renewable resource can make sure that there is a forest here in perpetuity, not only for our children but for our grandchildren. And that is really our goal. And we do not do everything right, I am not going to sit up here and tell you that everything we pass is absolutely right, nor do we believe it is right, nor is it totally what we would like to see. But by having public hearings like this, it greatly increases our knowledge and makes us a better legislator and makes it better for us to make a decision that vitally concerns both sides of the spectrum, as well as the Federal agencies and how they can do their job better. So I want to tell you how important it is to have these hearings, I want to tell you how much we appreciate everyone who showed up today, appreciate your patience and the time it took us to go

through this process. I want to thank you for your courtesy, for the people testifying on both sides. I know that there are a lot of emotions involved in this, but I do appreciate it. I think it is an absolute credit to the city of Lewiston to have such a nice orderly manner in this hearing process, and I want to thank you very much.

And with that, this Task Force is officially adjourned. Thank you.
[Whereupon, at 3:30 p.m., the Task Force was adjourned; and the following was submitted for the record:]

Phil Hughes
International Brotherhood of Electrical Workers
(IBEW Local 73)

Table 1. Timber Salvage

	Budget Salvage	Taylor Salvage
Nez Perce National Forest		
1995	1.0 MMBF ^a	.5 MMBF
1996 (projected)	9.5 MMBF	5.5 MMBF
1997 (projected)	2.0 MMBF	12.0 MMBF ^b
Clearwater National Forest		
1995	29.0 MMBF ^a	0.0 MMBF
1996 (projected)	24.0 MMBF	37.0 MMBF
1997 (projected)	29.0 MMBF	7.0 MMBF ^b

^a Actual accomplishment 2.5 MMBF on the Nez Perce National Forest and 8.0 MMBF on the Clearwater National Forest

^b 1st Quarter FY97

BRUCE J. VENTO

Congress of the United States

House of Representatives

Washington, DC 20515-2501

August 2, 1995

The Honorable Roger ViaDero
 Inspector General
 Department of Agriculture
 14th & Independence Avenue, SW
 Room 117 W
 Washington, D.C. 20250

Dear Inspector General ViaDero:

Thank you for your letter of June 8th. Almost four months have passed since I first requested an investigation into over 2200 alleged violations of law on the Foothills salvage project. It appears that during this time, you still have not collected the basic information necessary to determine the merits of the allegations.

Congress has recently written so called emergency provisions in the rescission measure that would dramatically reduce oversight of the salvage program by suspending all environmental laws when salvage sales are carried out. At this very moment, the Forest Service is moving forward on the largest salvage sale in twenty years, the Boise River salvage project.

Yet the statement that over 2200 violations of the basic sale boundaries, plans, rules, regulations and laws concerning the Foothills salvage project raises serious concerns that there are significant problems with the Forest Service's national model for their salvage program, which serves as the template for this new policy path. We need the information I have requested as soon as is possible in order to make informed decisions and prevent a repeat of the same problems.

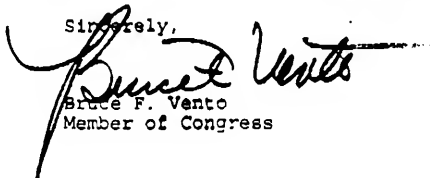
The report I submitted to you states that in the Foothills project, thirty-eight helicopter landing sites were built that were not specified in the salvage sale plan. If this is accurate than there has been a serious violation of the National Environmental Policy Act. These sites were two to five acres each; many are larger than a football field. The report alleges that five of these sites were built directly adjacent to important vertebrae fish species' streams in violation of the Clean Water Act. I do not understand the pause or any question in locating such obvious sites and making a determination whether or not they were legally constructed.

Several government employees signed timber sale inspection reports which substantiate many of the allegations listed in the report I submitted to you, including logging within stream protection zones, pollution of popular fishing streams, cutting too many trees, cutting green trees, and logging outside of the marked boundaries. To my knowledge, none of these people have been contacted.

The report I submitted to you alleges a huge amount of environmental damage done to public forests and streams in Idaho as a result of the Foothills Salvage Project. Delays in determining the veracity of even the most basic allegations of wrongdoing are preventing Congress from making an informed decision on the fate of the Forest Service's salvage program. This frustrates and delays adequate oversight and translates into poor administration and execution. It results in law based on fiction, not facts.

It is imperative that the National Forest Service and the Inspector General conclude at least a preliminary investigation on a fast track and do the in depth work so that the Administration and Congress can determine the facts about the Forest Service's salvage program.

Sincerely,



Bruce F. Vento
Member of Congress

BFV:lah

message:

From: Barbara Bell (BEAR VALLEY PRESALE MANAGER)
 Date: Dec 17, 1993 12:10 PM
 To: Mark Perkins, PLANNERS
 I had meeting with Mark and Perk yesterday. Jan and Jan also
 had the pleasure of attending.

MAJOR
 NATURAL
 FIRE

Among other things, we were told that virtually every sale should
 include "salvage" in the name. Perk said that even if a sale is
 totally green, as long as one board comes off that would qualify as
 salvage for the Salvage Sale Fund Plan. It should be called Salvage.
 It's a political thing.)

We will NOT go out and re-tag sales that are already laid out.
 However, future layout should include "salvage" on the boundary tags.

Scott - am sharing this with you since it affects sales other than
 private. RV plans, road plans, NEPA input, etc. should start calling
 all sales "salvage". For example, Scotty will be sold as "Scotty
 Salvage".

I'm pretty much out of here until the end of the leave year, but
 if you have questions, let me know. We can also discuss at the
 Checkpoint Mtg Jan 14.

-----746000X-00000-----

SUBMITTED BY:

INA L. PLUID

1. INDEPENDENT LOGGING CONTRACTOR
2. TIMBER-RELIANT SMALL BUSINESS OWNER
3. MEMBER, IDAHO WOMEN IN TIMBER

Members of the Timber Salvage Task Force:
Ladies and Gentlemen:

My name is Ina Pluid. I have lived the last 50 years of my life in Boundary County, Idaho. In 1944, my father purchased 160 acres. He cut and peeled poles and hewed railroad ties. Later he purchased a small sawmill. He sawed railroad ties and cut 2x4 studs. Most of the timber he used came from his property. For 39 years I have been married to a 3rd generation logger. He has worked 45 years as an independent logging contractor; with his father, ~~then~~ on his own and later with our son. Two years ago our son took over the logging business. Today, my husband, Bob and I, are co-owners in a business that manufactures 100% wood firelogs. Bob works there during the winter months and for the last two summers has been logging on my father's original property. Many of these trees are past their prime, or diseased, ...salvage! I mention this because my father died in 1956. This woodlot has been left unattended for 40 years, not the usual 70-80 years often thought of as the average renewal time following harvest. I think this illustrates that salvage should be a continual process to maintain Forest Health.

Our lives and the lives of our families have revolved around trees. We have lived with and loved these Forests. During the 1970's, we started to notice and feel changes in forest practices. Clearcuts, Wilderness, Rare I, and Rare II, and The Endangered Species Act all had impacts on harvest and forest access. By the mid '80's Timber Sale Appeals brought to a halt a major portion of Boundary County's timber supply. 8 years ago I joined Idaho Women In Timber determined to find out what was going on and what I could do to make a difference. I'm still learning! We have witnessed the Forest Service changing from an agency focused on providing wood products for our citizens, to an agency obsessed with "studies" and paralyzed with fear.

Historically Forest management has often been the result of fire and fire suppression. The Forest Service has become very good at that. At the same time timber harvest has dropped dramatically. On our local district harvest has dropped from 40 MMBF in 1990 to 15.6 MMBF in 1994. In '94 that 15.6 MMBF represented 90% of the ENTIRE Panhandle Forest Target. Every living thing begins a life cycle at birth, that ends with death. The final years of a tree's life cycle includes the deterioration of it's health.

Our Forests have become over-aged and are under severe attack from disease, suffering from drought and are in the process of dying. An abundance of under growth, due to lack of fire, thinning, and dead wood on the ground, has produced an excessive fuel load resulting in major fire hazards. This has been evidenced the last two years with catastrophic fires in our National Forests, and the Yellowstone Park fire. Forests that have been burned and left untouched, very likely will burn again. Areas that have been managed survive all natural threats better than those areas that have not.

"Sustainable Forestry" are new buzzwords in Forestry circles. By Webster's definition, "sustainable" means "To maintain...render aid...to keep alive; support..." This in itself implies MANAGEMENT! This does not mean to lock it up and let Mother Nature take her course. If I lock up my children or leave them unattended, I will be charged with ABUSE. I could lose my children! What kind of a mother would I be if I left a sliver in my child's hand until the hand needed amputated, or left a bleeding wound unattended until the child bled to death?? I feel the Forest Service's inaction is resulting in the same type of abuse and neglect to our National Forests.

The Salvage portion of the Recission Bill is good for our Forests! Implementing this Salvage legislation can help our Forests heal. Reducing the fuel load on the ground will reduce fire hazard. Removal of diseased and dying trees can and will help prevent the spread of disease to healthy trees. All of this will rehabilitate ecosystems not only for trees but for all of God's creatures that also share these forests. This Bill can provide wood products for the needs of our citizens, as well as jobs which could stabilize our communities and their needs.

Salvage needs to be done, and done quickly. In the case of fire, timing is critical! Logs harvested within the first year are almost as good as those harvested from green timber. The second year, the value of the harvested product drops 50%, due to the checking and bluing of the wood. By the third year, the tree is worthless as a sawlog or even for pulp. It can still be used as house logs or firewood. Sales prepared quickly can be a financial benefit to both the Forest Service and the stumpage buyer. Prolonging the sale a year for additional study may yield an additional 10% knowledge, but at a cost of 75% of the product value. Waiting too long to offer a sale can result in no bidders. At this point improvements are done only at the expense of the Agency and the Taxpayers.

My husband was on Trapper Peak during the Sundance/Trapper Peak fire in 1967. The fire was controlled early in September. By November he was working on the burn, salvaging the trees. 70% of the recoverable volume was harvested that first winter. Today this area is thriving and is a Prime Habitat for the Grizzly Bear and the Caribou. In visiting with a Resource Manager of one of our local mills he told of a sale they had purchased from The Bureau of Indian Affairs in Montana. This was a fire salvage sale. The fire occurred in August, 1994. The State of Montana sold their stumpage that same fall. The BIA sold their stumpage in the Spring of 1995 and the local mill logged it with very little loss. The U.S.F.S. is still preparing their sale.

Logging does have some impact on soils and watersheds. Intensely hot fires have very negative impacts - sterilizing and sealing of the soils, destroying wildlife and their habitats. Logging is controlled-Catastrophe is not.

Mortality on the Panhandle Forest is 200 MMBF annually. The Allowable Cut this fiscal year was 40 MMBF. I am told the growth rate is 800 MMBF.

On the Bonners Ferry District the timber crews are ready and willing but not able to prepare more salvage sales. The Bonners Ferry District has been geared to and included salvage in their harvest for years. Since the Agency's Reorganization they have lost their marking crew, their engineering funds were cut 100%, all the Resource Clerks are in the Supervisor's office, not in the local district office, there are new temporary hiring limits and many of those qualified to prepare sales are gone. Those left, who are qualified to do Sales preps are out marking trees for sales that are already being prepared. This is not cost effective. They feel that too much is appropriated to studies, such as the UCBA, PacFish, and The Inland Fish Strategy, to administrative staff and not to the field levels. Other problems which will always affect Salvage Sale preps will be: (1) Roadless Areas, (2) Endangered Species Habitats, and (3) Water Quality Restraints.

It is true that the agency has received mixed messages the last few years. But this Salvage legislation requires strong leadership from the top down.

This was the message expressed by all the Agency people I talked to, even those who have retired. Another comment I received was, "Every time someone tries to figure out why something's not working, they never come to the people in the field." The people in the Bonners Ferry District feel they could easily harvest an additional 20 MMBF in salvage, annually, without new roads or required documentation. Their Supervisor has requested only an additional 10 MMBF for the entire Panhandle Forest. They are frustrated and have strong feelings of lack of leadership from their Supervisor's office, especially after reading the correspondence from the Regional office stating that, "Effective Implementation of the provisions of this law according to the intent of Congress and the Administration is the top priority in the Northern Region." All this is to be prepared by December, 1996...the clock is ticking and "time's a wastin' ". Their frustration is also reflected in a survey done by North Idaho College of all the Idaho Panhandle National Forest employees. I have attached a letter I received regarding that study.

In our county 20 MMBF could mean a 3rd shift at one of our local mills, or it could assure the mill operating as it is now for one year. Their log reserves are what are in their mill yard. Without an assured timber supply mills can't plan ahead. Last year this same mill was shut down two weeks in December, one week in January, the entire month of February, and then ran only one shift per week from March through July 17th. That allowed employees to keep their benefits. 50 miles S.E. of Bonners Ferry a sawmill in Priest River closed one year ago. 30 miles to the East, in Libby, MT, two mills have closed in the last two years. 80 miles south, in Post Falls, another mill closed two weeks ago. All the local sawmills (14) have experienced shift curtailments and down times. An Engineered Wood Plant in Priest River has been down almost one year and our business, North Idaho Energy Logs, was down six weeks this summer. These last two businesses are dependent on raw material by-products from our local sawmills. These closures have significant impact on our local economies.

Our communities need your Salvage legislation implemented! Our Forests need your Salvage legislation implemented!

The Forest Service needs "Strong Leadership from the Top Down!" I would suggest that each level of the Forest Service be held accountable to make sure this legislation is put into action ...**AND SOON!!!**

(ATTACHMENT)

United States
Department of
Agriculture

Forest
Service

R-1

File Code: 2430/1570/1950
Route To:

Date: August 25, 1995

Subject: Rescission Bill Salvage Sales

To: Staff Directors, Forest Supervisors, and Salvage Sale Team

Regional Foresters, along with Regional Directors of the Fish and Wildlife Service and National Marine Fisheries Service, State Directors of the Bureau of Land Management, and Regional Administrators of the Environmental Protection Agency, have been directed to move forward in implementing the timber sale provisions of the 1995 Rescission Act (Public Law 104-19) in an expeditious and environmentally sound manner.

Effective implementation of the provisions of this law according to the intent of Congress and the Administration is the top priority in the Northern Region. Implementing this law may affect priorities previously established on some Forests (e.g. range permit reissuance, oil and gas leasing). Forest Supervisors are encouraged to bring problems to the attention of the Board of Directors and Deputy Regional Foresters. We need to be responsive to the direction in the Rescission Act, and communicate necessary changes.

It is expected this will be accomplished in a manner that moves sale areas toward a desired future condition, provides a measurable quantity of additional timber and enhances our ability to secure future money for a comprehensive and viable timber management program.

At their meeting on August 16, the Regional Board of Directors sanctioned the creation of a special team to oversee and assist with the implementation of the direction in the Timber Salvage Amendment of the 1995 Rescission Act.

The team leader is directly responsible to me, and the team has the authority to utilize Regional personnel and resources to ensure we accomplish our assigned part of the Amendment's objective to provide a quantity of salvage timber that is above the Region's regular targets in Fiscal Years 1996/97.

John Pritchard is the team leader, and the team will have five component parts initially with a leader for each section: "Need and Purpose," Ed Monnig; "Public Information," Laird Robinson; "Program Proposal Development," Dick Smith; "Operations," Dallas Emch; and "Monitoring," Olleke Rappe-Daniels. The team and sub-teams are expected to reorganize as required to meet changing situations or unforeseen needs, and have license to tap other individuals to round out their organizations or acquire needed skills.

This special salvage sale effort must be accomplished within the ethics of good land stewardship; however, we must recognize how vitally important it is to the Region that it not fail. Time constraints do not allow for the lengthy studies, analyses, consultations and reviews that have become so much a part of our way of doing business. We must be ethical land managers, but we must streamline our way of doing it. I ask each staff or resource area with a responsibility for providing input, other support or administrative processing to our sales program to implement streamlined processes that expedite their involvement and which allow us to meet both the imposed time constraints and the intent of the law. You must sacrifice detail to do this, and you must find a way that allows the change and still maintains an ethical land stewardship standard.

In cooperation with the Forest and Rangeland Management Staff, the team is responsible for guiding the Region through the special salvage sale process. I expect it to identify the purpose and need for the special salvage sale program and determine the range of acceptable risks; develop standard language for combined environmental assessments and biological evaluations if this proves appropriate; develop standard screens for watershed, threatened and endangered species, archaeological and other considerations; prioritize salvage sale opportunities by establishing criteria for project selection; provide guides for the use of documents that pertain to sales already in progress and provide interpretations of terms used in the rescission legislation.

We must vigorously pursue meeting the intent of this legislation while simultaneously redeeming our stewardship and resource protection responsibilities and meeting assigned targets for our "regular" timber sale program. This will require extensive coordination and team work with personnel of other agencies as well as among our own staffs. I will appreciate your efforts to meet these expectations. The Region has a big task ahead, and it is a high risk undertaking. It will test us; but it is one we can do, and since no one will be interested in our excuses if we fail, it is one we will do together.

/S/

HAL SALWASSER
Regional Forester

enclosures:

- overview
- talking points
- questions and answers
- Attachment 1

(ATTACHMENT)

June
 In August of 1995, the Idaho Panhandle National Forests (IPNF) contracted with the North Idaho College (NIC) to conduct a survey of all IPNF employees concerning the effectiveness of recently implemented administrative services in the Supervisors' Office.

Of approximately 600 employees, I understand nearly half (250+) of all employees felt compelled to respond to the survey. This seems like an unusually high response rate for surveys in general and must indicate some very strong feelings among all employees on this Forest.

Enclosed you will find a copy of the raw data summary of responses from this survey. This is not being distributed to employees at this time. I understand that the Forest Supervisor (Dave Wright) is not happy with the survey results and is currently doing "damage control" and sanitizing the results prior to distributing the official report to all IPNF employees.

~~I do not have a copy of the original survey questionnaire. If you want a copy perhaps NIC can provide one for you.~~

I am sure you will find the employee responses as fascinating as I did. You can draw your own conclusions on how a large portion of the IPNF workforce feels about our current Forest Supervisors' competence to manage this Forest.

For obvious reasons I wish to remain anonymous. To protect those people who were given these copies as a part of performing their official duties for the Forest Service, I will tell you that I had copies made without their knowledge.

The reason I feel the need to leak this document is that I believe the Forest Supervisor and his assistant(s) will try to sanitize or bury the results of this very informative, but damaging, survey on the IPNF reorganization.

My hope is that someone will rescue all the good employees on the IPNF, who want to Care for the Land and Serve the Public, by replacing Dave Wright with someone who really cares for and is capable of managing this Forest.

Copies of this have been sent to the Spokesman-Review, Chief Jack Ward Thomas, and Congressman Helen Chenoweth.

TESTIMONY OF DR. G. WAYNE MINSHALL

Professor of Ecology
Stream Ecology Center
Department of Biological Sciences
Idaho State University
Pocatello, ID 83209

Mr. Chairman and members of the Timber Salvage Task Force, I appreciate this opportunity to provide testimony regarding the effects of salvage timber removal on the health of forest ecosystems. As you all know, a forest is composed of much more than trees in addition to trees, a forest includes many kinds of shrubs, grasses and herbs, and the soils they grow in, as well as the many species of animals that make their home in forested communities. Additionally, a forest includes the rivers, streams, lakes, and wetlands, and the biological, physical, and chemical processes and ecological functions that link all the pieces together. No one part can serve as a lodestone to guide management decisions. All the parts, the way they fit together, and the interactions among them that is, the integrity of the ecosystem must guide the way we manage forests so that they continue to provide a natural bounty to be enjoyed, used wisely, and benefited from by this and future generations.

This hearing is focused on the removal of dead, imminently dead, and living trees from federal lands within areas burned by recent fires. Though commonly called salvage, and currently being sold to the American public as recovery projects, the issues are largely economic and ecological. I will confine my comments to the ecological issues, since I understand that most of the other panelists will focus on economic concerns. In my view, there are two major misconceptions which have been played on by the proponents of salvage logging to justify irrational and excessive timber harvest schemes from burned lands. The first of these is the assumption that the fires were catastrophic in nature. The second misconception is that burned trees are unimportant, useless and hence valueless to the forest and stream ecosystems. One important outcome of these two misconceptions is that the so-called salvage or recovery operations can themselves impede post-fire recovery. Wildfire is an integral and natural component of dynamic forests in the Intermountain and Rocky Mountain regions of the west and burned trees have great value to the ecology of forests and streams. Natural disturbances such as fire tend to reset ecosystems and diversify landscapes, typically fulfilling an important function in maintaining the character of the forest and the species that inhabit them. Forested landscapes and ecosystems have developed in the context of periodic intense fire and they are adapted to it. Fire is not an ending, or catastrophe, but a rebirth.

VIEWING FIRE AS A CATASTROPHE DISTORTS THE ISSUE

Talking about fire as a catastrophe distorts the issue by establishing a mindset that assumes disaster already has occurred, and that anything we do to help will be an improvement. With this kind of a starting assumption, perceptions are pre-selected to agree with some suggested solutions while rejecting others, and at the same time critical questions are not even considered. Recent drought conditions, combined with fire suppression and other land management practices, have produced several years in the past decade with active fire seasons and have increased the

likelihood of high intensity fire in some places. Some have characterized these recent fires as "catastrophic" and called for wide-spread, intense pre-fire and post-fire management prescriptions to ameliorate the proclaimed problems. This is a panic response not warranted by the facts. In my experience in studying the effects of fires, panic responses do more harm than good. Rather, this is a time for caution and conservative action. I know of no credible evidence that the impacts of these fires are outside their historical ranges in terms of intensity and extent. Contrary to the pictures of mass destruction being engendered by the "catastrophic fire" rhetoric, large, intense fires coupled with unimpeded recovery have resulted in some of the best examples of good quality habitat in the Intermountain west.

Risk of fire is not unusual; it predictably follows trends in climate and weather. The increased fire risk, while not socially palatable, is not catastrophic or unusual from an ecological perspective. The historical and paleoecological record reveal periods of time when fire occurrence was frequent, others when scarce. Historic records confirm that the most extensive wildfires in North American forests occur during climatic dry periods, and that frequency and intensity dropped sharply with the onset of cooler climates. Within these broader climatic patterns, shorter-term weather patterns also play a significant role in determining fire activity. In fact, many researchers have found that under certain weather conditions intense fires should be expected regardless of forest type or stand structure. The recent fire seasons should not have come as a surprise to anyone they occurred in a backdrop of long-term warming climatic trends that were complemented by a shorter-term drought cycle and fanned by hot and dry conditions. No amount of "forest health" management will stop fires when climate, wind and weather combine to produce extreme conditions. Recent fires are unlikely to have exceeded historic limits and therefore must not be regarded as catastrophes.

Risk of fire is not uniform across the landscape. Each forest type has evolved different techniques to survive fire and take advantage of its aftermath. Specific understandings developed about fire in Ponderosa Pine forests do not necessarily hold true in mixed conifer, subalpine fir, or western white pine forests. It is important to recognize that the increased risk of fire does not exist equally across the landscape, and that even where an intense fire event does occur the fire typically does not burn evenly across the landscape killing everything within the burn perimeter. As a result of fire suppression and timber harvest practices, certain forest types may currently be susceptible to burning in ways that have not been seen for centuries, while in other types of forest the fire situation probably is not too different from historical patterns. However, even within a given forest type, the severity of a fire at any point is determined by a combination of weather, topography, and stand structure. And, even in conditions many currently are labeling as extreme, the fire burn typically creates a patchy mosaic across the landscape that is a desirable characteristic of forests that many species of both plants and animals depend upon.

Fire does not threaten the health of aquatic ecosystems. Fires do not threaten watersheds and fisheries. There are many threats to watershed and fisheries, including dams, water withdrawals, poor grazing practices, logging in sensitive areas, excess road building, and introduction of exotic species, but fire is not among them. On the contrary, fire in a healthy watershed simply resets a

natural clock and starts a whole chain of predictable and natural events that benefit the watershed, the stream and the fish. This resetting of the clock has immediate, post-fire beneficial effects on the aquatic environment through increased nutrient cycling, water chemistry fluxes and increased riparian photosynthesis.

Actual documented cases of fire extirpating fish permanently from a watershed are very rare, and when there is a fish kill, it commonly relates to fighting the fire, or to a watershed that already was severely compromised before the fire hit. As long as the stream and watershed are in general good health, fish will recolonize even a "cooked" stretch of stream very rapidly after the fire. The effects of the Boise Foothills fire, and a subsequent storm event on Sheep Creek often are held up as an illustration of the horrendous effects of fire on fish populations. The fire and its aftermath clearly killed fish throughout several watersheds and may well influence the distribution and dynamics of fish populations for years to come. All evidence suggests, however, that fish populations (including bull trout) are recovering quickly. Even in this purportedly extreme event, no populations went extinct and recovery of fish populations to intensely burned reaches was evident one year following the fire. Fish populations in Rattlesnake Creek, also affected by the Boise Foothill fire, are showing recovery as well. Adult fish returned rapidly following the fire, and in 1994 fair numbers of young-of-the-year and juvenile fish were observed in the stream. The recovery of these fish populations to these and other drainages burned during the Boise Foothills fire occurred even with the increased sediment levels and stream temperatures as a result of the fire effects illustrating the important benefits accruing from a fire resetting the ecological clock.

The health of rivers and streams is threatened by activities that sever the connection between the river and its floodplain, between the floodplain and the uplands, and between the upstream and downstream portions of the watercourse that is, activities that destroy the connectivity of the stream to its watershed. When rivers and streams show high levels of connectivity they are able to hold and process things like organic materials, sediment, and water and deal successfully with natural disturbances like fire, flood, and drought. With low connectivity, the watercourse is less resilient and suffers impairment when subjected to either natural or human-caused disturbances.

As far as the watersheds are concerned, fire is not a catastrophe, and talk about catastrophic fires distorts the issue. It certainly is true that watersheds and streams that already have been badly damaged by excess mining, grazing, logging and road building are more likely to suffer serious damage from fire but they are also more likely to suffer serious damage from all the other natural factors that affect streams, including drought and flood. Poor watershed management which severs the connectivity of the aquatic system makes streams vulnerable to all kinds of stress. The solution is better watershed management, not panic about so-called catastrophic fires and certainly not indiscriminate salvage logging. Treating the situation as a catastrophe and reacting in a panic mode may lead us to violate ecological principles and overreact in terms of management treatments.

DEAD AND DYING TREES ARE IMPORTANT TO THE FOREST AND STREAMS

There is a widespread, but incorrect assumption that dead trees provide little ecological value if left in place. Burned dead and dying trees are important to the ecological integrity of forests and streams and serve an important function in the post-fire recovery of these ecosystems. Their indiscriminate or overzealous removal can significantly impede recovery.

Recovery of the hillslope following fire is hastened by the presence of burned trees. Following fire, many burned trees remain standing. These trees provide shade, cover, and habitat for many forest plants and animals, from new seedlings to elk. They break up the effect of wind and help ameliorate wind erosion. Over time, standing dead trees fall and thereby represent a future source of downed wood that will contribute to the healing process of the watershed over long periods of time. Some trees killed during a fire fall during the event or shortly thereafter. These trees are an immediate source of downed wood and play a crucial role in recovery of the hillslope by helping to prevent erosion. They function to help control runoff, break up wind patterns and raindrop fall, and hold the soil in place. Downed trees on the hillslope also provide ground shading and provide organic material that can be incorporated into the soil.

Stream recovery depends upon a continuing source of large woody debris. As the downed trees move into the stream channel they provide habitat for myriad aquatic plants and animals, including fish. Large downed trees allow the stream to hold sediment during storms and to rebuild valley bottoms. They provide diverse habitats for fish and other aquatic species to meet spawning and rearing needs, and to serve as refuges during storm events. They also help streams retain and process organic materials (such as leaves and needles) that are the foundation of the aquatic food chain. These and other similar functions fulfilled by large downed trees aid in the healing of fire-impacted stream channels.

SALVAGE OPERATIONS CAN IMPEDE THE POST-FIRE RECOVERY OF FORESTS AND STREAMS

As mentioned before, the misconceptions that fire is a "catastrophe" and that dead trees are unimportant to forests and stream ecosystems can lead to inappropriate management actions and can substantially impede post-fire recovery. One natural consequence of management directions guided by these misconceptions is excessive or inappropriate removal of dead and dying trees through salvage logging. This and other activities that occur as a part of overall salvage operations can further magnify the damage and impede post-fire recovery. Any plans to salvage dead and dying trees must avoid or minimize the inherent negative effects.

Loss of the trees themselves can impede recovery. Many fires cover the landscape in a patchy pattern, leaving many living trees within the burn perimeter. Both the remaining live trees and the trees killed by the fire play important roles in the post-fire recovery of the ecosystem, both on the hillslope and in the stream. The removal of trees from a burned area, independent of the method of their removal, can impede recovery of a burned watershed.

Ground disturbance associated with salvage logging is a primary concern. Not only are salvage trees of benefit to the forests and streams, but the methods by which the trees are removed from fire-scarred forests can result in additional damage that further slows or inhibits the recovery process. Ground disturbance due to construction of new roads and landings, the reconstruction or realignment of existing roads, the establishment of skid trails, and the development of other passageways for the movement of logging trucks and the operation of tractor-skidder logging operations are especially damaging. These activities often expose soils to the effects of erosion, and depending on design can predispose an area to failure. Further, these activities can interfere with the runoff patterns of a watershed by collecting, concentrating, and diverting surface water runoff out of the natural stream network. As a result, in areas susceptible to deep-seated mass failures these ground disturbing activities often precipitate large-scale mud and debris slides that block roads, destroy property, and foul rivers, streams, and reservoirs. In other areas, where the basic geology of a watershed is not susceptible to mass failure the change in the runoff patterns can contribute to increased hillslope erosion and in-channel erosion of streams. Regardless of the underlying geology, roads, landings and skid trails have the potential to dramatically increase the sediment loading in a watershed.

Other activities can be ineffective and costly. Other activities often associated with salvage operations are focused on sediment reduction. These "watershed improvement projects" include such activities as: (1) cross-felling (or contour felling) trees and the placement of hay bales on hillslopes to intercept and collect sediment from surface erosion, (2) reseeding grasses and spreading slash from salvaged trees to increase surface ground cover, and (3) engineering in-stream structures to provide fish habitat. Generally these activities are costly, often they are ineffective, and typically they are poor substitutes for what nature provides following a fire at no cost.

Cross-felling trees and placement of hay bales are labor intensive projects with a short-lived usefulness. As hill-slope sediment traps they possess a relatively small catchment, and depending upon the method of installation they can be readily swept downhill during storm events. They are patterned to mimic the role played by dead trees that naturally fall to the ground following a fire. While under some circumstances they undoubtedly contribute to short-term hillslope sediment retention, under other situations these sediment reduction projects can collect, concentrate and divert surface runoff as if they were mini-roads and thereby initiate hillslope gullying. In either case, cross-felling trees and placing hay bales is more expensive in time and money than would be depending on natural processes.

Ecological processes important to the recovery and health of the watershed can be disrupted. If the basic ecological processes that contribute to the recovery and health of the watershed are not understood and planned for, salvage operations and other post-fire land management decisions can interfere substantially with the ability of the forest and stream to recover. A classic example of post-fire management interfering with watershed recovery is occurring today on the North Fork of the Boise River. This area was part of the 184,000 acre Rabbit Creek fire. Earlier this year 70,000 acres within the patchy burn perimeter were subjected to a storm event that dumped two to four inches of rain on the watershed. Not surprisingly, the watershed did the expected and many of the tributary streams as well as sections of the North Fork Boise River itself were

subjected to substantial erosion. The immediate reaction to this event was to declare it a catastrophe when, in fact, it was simply an example of what should be expected in dynamic systems. Unfortunately, management decisions to breach the debris dams on the North Fork Boise River and remove large wood from the stream channel following the storm event have significantly interfered with the river's ability to heal. These decisions were made because of a desire to reopen a forest road that lies within the floodplain and parallels the North Fork Boise River. The road's reopening cut 45 minutes off the travel time for logging trucks hauling salvage timber from the basin, but substantially reduced the river's ability to hold and sort sediment, to rebuild the valley bottom following the storm-caused erosion, and to provide diverse habitat for fish and other aquatic species.

BOISE FOOTHILLS WATERSHED MONITORING REPORT DOES NOT SUPPORT CONCLUSION THAT SALVAGE LOGGING IS GOOD FOR THE WATERSHED

The Boise Foothills Watershed Monitoring report concludes that fire salvage logging resulted in improved watershed conditions when "Best Management Practices" and water protection measures were applied. Some in Congress and in the timber industry have used this report as proof that salvage operations help streams and fish. However, this stark conclusion is not supported by the information contained in the report. Further, there is considerable scientific uncertainty in the published, peer-reviewed literature regarding the claimed ecological benefits from salvage logging and related management techniques.

The use of the term "salvage operations" is misleading. In order to determine whether or not salvage operations are beneficial it is important to understand what activities are included in the word "salvage." The general public undoubtedly interprets salvage logging to mean the removal of dead trees from the forest. However, the term salvage operations often is used in government documents and by those in the timber industry to include many additional activities that are focused on repairing watershed damage resulting from past management activities. These efforts to fix damage caused by past management are a part of the salvage operation only because they are undertaken at about the same time that the trees are removed and are paid for by salvage receipts. Lumping the removal of salvage trees together with watershed restoration projects, and then attributing the combined effects to salvage operations does not contribute to an informed public policy debate.

In the case of the Boise Foothills, salvage operations include not only the removal of trees but also the storm proofing of pre-existing roads, seeding, contour felling and plowing, and stream channel stabilization. The most significant of these activities were efforts to storm-proof pre-existing roads. Since poorly designed or constructed roads often are the greatest sources of sediment and also can significantly impair runoff patterns, fixing old road networks is a critically important task in both burned and unburned watersheds. However, when the positive results from road repair are jumbled together with the negative effects of salvage logging to "prove" the benefits of salvage I believe many will reach conclusions not supported by the facts.

The monitoring period was inadequate to support any conclusions regarding the effect of salvage operations on watershed condition.--The fire in the Boise foothills ignited in August 1992.

Salvage logging operations began in the Foothills Fire Salvage Area in December 1992 and proceeded until completion in mid-summer 1994. Monitoring of effects were initiated in late fall of 1992 and continued through late spring of 1995. Reaching conclusions two and one-half years after the fire, and less than one year after the completion of salvage logging is premature. In my experience the response of the watershed to fire and other disturbances varies widely over the first five to ten years. During that time adverse stochastic events can cause major detrimental effects that may cause alarm to the viewer, but that are insignificant to the ecosystem in the long term. Insufficient time has elapsed since the conclusion of salvage operations in the Boise Foothills area to make any claims that those operations benefitted the watershed.

More rapid post-fire recovery observed in salvaged basins is not attributable to salvage logging. Validation monitoring which measured sediment accumulation at 11 locations in the Rattlesnake Creek watershed showed no accumulation of sediment prior to the summer of 1994. Two thunderstorms moved across the study area during 1994, and monitoring found that the only locations to have an increase in sediment were the two which had no salvage logging and no watershed restoration projects. This fact has been used by some as support for the contention that salvage logging has positive benefits for the watershed. However, the sediment results probably are more related to the fact that storm proofing roads and other watershed restoration projects occurred only in the salvaged watersheds, as well as to the fact that the storm pattern did not hit the 11 locations equally.

Benefits attributed to slash left behind following salvage logging are better obtained through retention of whole tree. Logging slash left behind following salvage logging is credited with: (1) increasing post-fire effective ground cover and reducing surface erosion; (2) serving as a replacement for large woody debris thereby improving stream channel stability and reducing sediment yields from zero and first-order streams; (3) providing ground shading that ameliorates adverse vegetative microclimate conditions such as shortwave radiation heat loads, wind erosion, and increased soil temperatures; (4) providing organic material that quickly is incorporated into the soil and thereby improves soil productivity; and (5) increasing hillslope obstructions to soil and water runoff. These arguably are benefits when compared to salvage operations that remove the majority of dead and dying trees and do not leave slash, however they must be acknowledged as temporary short-term cures and environmental tokenism when compared to what the forest itself could do if green as well as standing and down burned trees are left intact on the hillslope following fire.

Benefits attributed to mechanical disturbance of the soil during salvage logging are unsupported by evidence. There is extensive scientific literature documenting problems ranging from soil compaction to increased sedimentation that are associated with mechanical disturbance of soils. To my knowledge, no scientifically credible work exists to indicate that mechanical disturbance of hillslopes produces positive results. Despite this, the benefits of mechanical disturbance of hillslopes in watersheds affected by post-fire hydrophobic soils recently has been put forth as proven, scientific truth when, in fact, it is an untested hypothesis. While it makes an interesting story, the hypothesis has not yet been legitimately examined and therefore has no scientific validity. It is unlikely that mechanical disturbance of hillslopes would be put forth as a beneficial restoration activity in the absence of a desire to remove dead trees during salvage

operations. There is no solid information to indicate that recent fires have significantly altered the natural extent, degree or persistence of hydrophobic soils. There is no evidence to indicate that mechanical disturbance of hydrophobic soils produces benefits which outweigh the scientifically proven harm of hillslope soil disturbance. I find this unsupported contention professionally untenable and its widespread application absurd.

The need for money to correct damage from past management activities does not justify salvage logging. While it is true that significant harm to the watersheds of the Intermountain West caused by past management activities needs restorative attention, it is spurious to suggest that salvage logging is an ecological "good" because it produces money to pay for repairs of old environmental insults. This argument is akin to suggesting that prostitution is socially valuable as long as the financial proceeds are donated to charitable organizations charged with correcting the social ills that lead young women to join the "oldest profession." Those who benefited from past activities that degraded public lands have a moral, if not a legal, obligation to correct the problems they created and the land management agencies who oversaw the degradation of public resources have both a moral and a legal obligation to fix the problems. Certainly, we should not justify salvage logging on the basis of the good that can be done with the money the sales generate. Salvage logging proposals must be evaluated on their own merit.

SALVAGE LOGGING CAN BE DONE TO MINIMIZE ITS NEGATIVE EFFECTS

A recent report by a scientific panel of which I was a member detailed recommendations for ecologically sound post-fire salvage logging and other post-fire treatments on federal lands in the west (Beschta, et al. 1995). A copy of that report is attached. The panel enunciated four primary post-fire principles to guide scientifically credible and ecologically sound management of post-fire landscapes: (1) Allow natural recovery and recognize the temporal scales involved with ecosystem evolution, (2) No management activity should be undertaken which does not preserve soil integrity, (3) Maintain plant and animal species' capability to naturally regenerate, and (4) Do not impede the natural recovery of disturbed systems.

Consistent with these principles, the panel made the following recommendations on post-fire practices:

--Salvage logging should be prohibited in sensitive areas; such as in severely burned areas, on erosive sites, on fragile soils, in roadless areas, in riparian areas, on steep slopes, any site where accelerated erosion is possible, in watersheds with existing serious sedimentation problems.

--On portions of the post-fire landscape determined to be suitable for salvage logging, limitations aimed at maintaining species and natural recovery processes should apply (i.e., salvage logging must leave: at least 50% of standing dead trees in each diameter class, all trees greater than 20 inches dbh or older than 150 years, all live trees; yarding systems should assure protection of soil integrity).

--Building new roads in the burned landscape should be prohibited.

- Active reseedling and replanting should be conducted only under limited conditions.
- Structural post-fire restoration (e.g. sediment traps, fish habitat alterations, bank stabilization, hay bales, weirs, check dams, and gabions) generally is to be discouraged.
- Post-fire management requires reassessment of existing management (e.g. livestock grazing, condition of the transportation system, etc.).
- Continued research efforts are needed to help address ecological and operational issues (e.g. role of dead wood in terrestrial ecosystems, probability of reburn, the environmental effects of alternative post-fire/salvage operations, roading activities, and site preparation).
- The public must be educated regarding natural fires and post-burn landscapes to provide balance to the "Smokey Bear" perspective of fires and forests.

MORE SALVAGE FROM FEDERAL LANDS DOESN'T GUARANTEE MORE JOBS

As a scientist with expertise in watershed, streams and fisheries, I am deeply concerned about indiscriminate salvage logging because it is my professional view that there are no demonstrated ecological benefits, while the known damage from logging can last for decades or perhaps longer. Further, I am dismayed by the tendency for discussion about the merits or hazards of salvage logging to use words so that the issues are clouded. Employing a recovery plan label for proposed salvage plans is not honest. Combining activities to repair past management damages with new activities to facilitate the removal of burned trees under the cover of salvage operations also is not honest. No rational public policy can be formulated when purposeful efforts are being made to distort and confuse the issues.

If there are benefits from salvage logging they are in the arena of short-term employment. But I am concerned both as a scientist and as a taxpayer, when I read that many of the proposed salvage sales go unsold, and others are only sold at reduced prices. For example, the Boise National Forest didn't get its minimum bids on five of 15 sales of timber burned in last summer's wildfires, and was forced to reduce the minimum bids by 40 to 50 percent to elicit any interest from the timber companies. Some ecological damage from salvage sales is certain, the burden to the taxpayer is certain, while the benefit to short term employment is speculative and the jobs uncertain. This seems to be an unwise and misguided public policy.

WILDFIRE AND SALVAGE LOGGING

Recommendations for Ecologically Sound
Post-Fire Salvage Logging and Other Post-Fire Treatments
On Federal Lands in the West

A Report By

Dr. Robert L. Beschta, Oregon State University; Dr. Christopher A. Frissell, Oregon State University and University of Montana; Dr. Robert Gresswell, U.S. Fish and Wildlife Service; Dr. Richard Hauer, University of Montana; Dr. James R. Karr, University of Washington; Dr. G. Wayne Minshall, Idaho State University; Dr. David A. Perry, Oregon State University; Jonathan J. Rhodes, Columbia River Inter-Tribal Fish Commission

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PREFACE

This paper offers a scientific framework of principles and practices that are provided to guide development of federal policy concerning wildfire and salvage logging and other post-fire treatments. A common thread throughout the recommendations is that most native species are adapted to natural patterns and processes of disturbance and recovery in the landscape and that preventing additional human disturbance (and reducing the effects of past disturbance) generally will provide the best pathway to regional ecological recovery. We assume that maintenance of viable populations of native species across their native ranges and the protection of critical ecosystem functions and services are desired objectives of federal land management, as stated in relevant legislation.

Land management practices in the interior Columbia and upper Missouri basins have profoundly impacted forest, grassland, and aquatic ecosystems. Watersheds and forests have been degraded (e.g., ecosystems fragmented, habitats simplified or lost, disturbance regimes altered). At every level of biological organization – within populations, within assemblages, within species, and across the landscape – the integrity of biological systems has been severely degraded. This is best seen in the marked reduction in the biological diversity in the region.

The entire range of land management practices is implicated in this regionwide decline. Streamside development, logging, grazing, mining, fire suppression, removal of beaver and large predators, water withdrawals, introduction of exotic species, and chronic effects of roadbuilding have cumulatively altered landscapes to the point where local extirpation of sensitive species is widespread and likely to continue. Areas dominated by healthy populations of native species of vertebrates are exceptional. Many of these changes began long before the establishment of wilderness areas and other protections, and therefore, the majority of the region has been impacted.

Western ecosystems have evolved with, and in response to, fire. While some have argued that fire is the major imminent "threat" to the health of the region's forest ecosystems, it must be recognized that there are a number of threats to the integrity of ecosystems in the interior west. Land management based on controlling fire will not set the region on a course toward recovery, especially when conceived in a crisis mode. Rather, it will be necessary to take an approach based on fundamental principles of ecosystem patterns and processes, something the current crisis mode does not foster. The objective of this document is to propose guidelines concerning wildfires, salvage logging, and other post-fire treatments, particularly from an aquatics perspective, that maintain or improve the integrity of ecosystems and landscapes and maintaining the ecological processes that support sustainable resource extraction and utilization.

If historical land uses have contributed to the decline in forest ecosystem health, then the pattern of human land use must be changed for regional ecological recovery to occur. By narrowly concentrating on forest health (often a euphemism for tree health, recently referring to carbon cycling), federal land managers have embarked on an ambitious attempt to address forest management in ways that risk neglecting watershed health and the ecology of aquatic ecosystems. The problem is not that we do not have the knowledge to control all disturbances. The problem is we have tried to control all disturbances rather than letting them play out -- the forests depend on disturbances to maintain their integrity just like rivers depend on floods and droughts coming along in irregular patterns. Human disturbances, unlike Mount St. Helens or El Niño, tend to be incessant, and thereby may produce conditions outside the evolutionary experience of native species. In view of the extent and persistence of human disturbance throughout forest and watershed ecosystems, continuing to simply manage fire risk without controlling the adverse effects of logging, grazing, roadbuilding, and mining is unsound resource management; it is an approach that without careful thought could lead to further damage rather than to the intended goal of protecting forest and stream health, as such an approach addresses the symptoms rather than the causes. Because we are currently unable to understand and control all human perturbations, we must instead seek to manage the human impacts on these systems. However, given our imperfect knowledge of ecosystem processes, functions, and disturbance regimes, we face high risks of exacerbating the degradation that already exists, especially in aquatic ecosystems. Rather than focusing on fires -- before or after their occurrence - managers should focus on the pattern and consequences of current and proposed human manipulations and disturbances of all types at the landscape level.

The Current Policy Framework

The National Forest Management Act (NFMA) and the National Environmental Policy Act (NEPA) allow greater liberties to be taken following fire than in other aspects of land management. On National Forests, post-fire salvage activities are treated differently than other logging in the course of environmental review. Salvage may be conducted on lands not otherwise eligible for logging; may exceed allowable sale quantities and maximum logging area rules; may be exempt from anti-clearcutting rules; and may be exempt from most forest plan standards and NFMA standards, e.g., soil protection and water quality standards. Furthermore, some salvage activities are exempt from NEPA review and administrative appeal.

New policies are forming. Two ongoing federal land planning processes which address fire and salvage policies on federal lands in the region are in progress – the "Interior Columbia Basin Ecosystem Management Project" and the "Western Forest Health Initiative." Most recently, there have been Congressional salvage initiatives and amendments. In addition there are a host of site-specific initiatives and projects being implemented on accelerated timetables in reaction to 1994 fires. Our recommendations apply to both regional and site-specific initiatives.

FINDINGS AND RECOMMENDATIONS FOR FIRE MANAGEMENT AND SALVAGE LOGGING

**Ongoing human activity and the residual effect of past activity
continue to threaten watershed ecosystem integrity.**

Throughout the west, many scientific assessments of current conditions have come to remarkably similar conclusions: a century and a half of logging, grazing, roadbuilding, mining, water withdrawals, channelization, introduction of exotics, and streamside development have degraded watersheds, modified stream flows and temperatures, altered ecosystem processes, and removed ecosystem elements with the result that sensitive native species have frequently been extirpated or limited to refuges. The ability of ecosystems to recover has been substantially compromised. These conclusions have been reached by a wide variety of observers and over a wide range of scales. (Nehlsen et al., 1991; Johnson et al., 1991; Frissell 1993; FEMAT 1994; Henjum et al., 1994; McIntosh et al., 1994)

Forests of the interior west can be viewed as a sea of relatively recently altered ecosystems surrounding a few "islands" of relative ecosystem integrity (Frissell 1993a). In this context, attempting to continue to manage fire and its consequences without altering or controlling other threats to ecosystem integrity is scientifically and pragmatically unsound.

Fires are an inherent part of the disturbance and recovery patterns to which native species have adapted.

Western ecosystems evolved with and in response to fires. Fires are a part of the pattern of disturbance and recovery that provides a physical template for biological organization at all levels. Fires reset temporal patterns and processes that, if allowed to proceed undisturbed by additional human impacts, provide dynamic and biologically critical contributions to ecosystems over long time frames. The "patchiness" of fire is a desirable characteristic, and many species depend on the environmental influences that fires create.

While fire suppression and other practices has doubtlessly increased the likelihood of high intensity fire in some places, it is important to recognize that this increased risk does not exist equally across the landscape. Certain forest types (low elevation ponderosa pine, for example) may currently be susceptible to burning in ways that have not been seen for centuries, but in other areas (the higher elevation and moister, mixed-conifer forest types for example) the fire situation is probably not too different from historical patterns.

The historical and paleoecological record reveal periods of time when fire occurrence was frequent, others when scarce. We need to acknowledge that some forests are simply going to burn. We also need to accept that in many drier forest types throughout the region, forest management may have set the stage for fires larger and more intense than have occurred in at least the last few hundred years.

There is no ecological need for immediate intervention on the post-fire landscape.

With respect to the need for management treatments after fires, there is generally no need for urgency, nor is there a universal, ecologically-based need to act at all. By acting quickly, we run the risk of creating new problems before we solve the old ones. Ecologically speaking, fires do not

require a rapid human response. We should not talk about a "fire crisis" but rather of managing the landscape with the anticipation that fire will eventually occur. Given the high degree of variability and high uncertainty about the impacts of post-fire responses, a conservative approach is warranted, particularly on sites susceptible to on-site erosion.

Existing conditions should not be used as "baseline" or "desired" conditions upon which to base management objectives.

In landscapes disturbed by human activities, it is ecologically inappropriate to use current conditions as the baseline for analysis. To do so effectively ignores the chronic or continuing effects of past management activities. Analysis of sediment impacts, for example, that accept existing conditions as the baseline are highly inappropriate because these have been increased over natural background levels for 50-100 years in many cases. There is considerable evidence that current conditions are insufficient to maintain viable populations of many native species, including sensitive and declining trout, salmon, and other fishes (FEMAT 1993; PACFISH 1995; Frissell 1993b, Reeves and Sedell 1992; and others).

Fire suppression throughout forest ecosystems should not automatically be a management goal of the highest priority.

Making fire prevention a high priority management goal is a commitment to continuous fire suppression and a prescription for long-term "addiction." Such an attempt requires continual high cost inputs, and fails to capitalize on the self-repairing and self-perpetuating capabilities of ecosystems. Attempts to perpetuate a certain "state" or forest condition are unsustainable. Land managers should be managing for the naturally evolving ecosystems, rather than perpetuating artificial ones we have attempted to create. By imposing management schemes structured to optimize timber production at the expense of other ecosystem attributes, we have suppressed certain disturbance regimes, (e.g., fire), while potentially increasing the effects of others, (e.g., floods). The net result is a loss of ecosystem function and loss of the values that ecosystems provide including high quality water and abundant fisheries. Our actions have led to increased probabilities that various series of natural events will be increasingly viewed as catastrophic. Therefore, we need to consider the whole landscape, not just the forest. The overall management goal must be to preserve (and reestablish) the fire and other disturbance regimes that maintain ecological systems and processes, while protecting human life and property.

The region's ecosystems, not just forests, are under severe strain.

Virtually all western landscapes, including forests, have been subjected to severe disruption by human activities. The conceptualization that we face a problem only of forest health misrepresents the problem and misdirects our attention from appropriate remedies. From a watershed perspective, the region suffers an ecosystem health problem, but the primary cure rests in curtailing human activities known to be damaging and counterproductive, and repairing or restoring roads that act as permanent sources of adverse impact. Fire influences but does not obscure this basic template.

LAND MANAGEMENT AFTER FIRES

Research results and new knowledge regarding the management of forest ecosystems increasingly indicates that dramatic changes in human impacts and fire management policies are needed. As an overriding principle, we seek ways of decreasing human impacts while allowing natural disturbance regimes to reestablish their historical influence in maintenance of the diversity and productivity of regional landscapes. Instead of focusing on effects of the fires, land managers should focus on the sources of the anthropogenic disturbances and the departure from natural disturbance regimes. Land managers should particularly examine current consequences of human disturbances at the landscape level.

POST-FIRE PRINCIPLES

We recommend that management of post-fire landscapes should be consistent with the following principles:

Allow natural recovery and recognize the temporal scales involved with ecosystem evolution.

Human intervention on the post-fire landscape may substantially or completely delay recovery, remove the elements of recovery, or accentuate the damage. Many such adverse consequences are difficult or impossible to predict or foresee in specific situations. *In this light there is little reason to believe that post-fire salvage logging has any positive ecological benefits,* particularly for aquatic ecosystems. There is considerable evidence that persistent, significant adverse environmental impacts are likely to result from

salvage logging, based on many past cases of salvage projects, plus our growing knowledge of ecosystem functions and land-aquatic linkages. These impacts include soil compaction and erosion, loss of habitat for cavity nesting species, loss of structurally and functionally important large woody debris. Human intervention should not be permitted unless and until it is determined that natural recovery processes are not occurring.

No management activity should be undertaken which does not protect soil integrity.

Soil loss and soil compaction are associated with both substantial loss of site productivity and with off-site degradation. Decreased infiltration, increased overland flow, and excess sedimentation all directly contribute to the degradation of forest soils and the off-site degradation of aquatic systems and reduced survival of aquatic species, including salmonids. Reduction of soil loss is associated with maintaining the litter layer. Although post-burn soil conditions may vary depending upon fire severity, steepness of slopes, inherent erodibility, and others, soils are particularly vulnerable in a burned landscape. Soil and soil productivity are irreplaceable in human timescales; therefore, post-burn management activities that accelerate erosion or create soil compaction must be prohibited.

Preserve species' capability to naturally regenerate.

From an ecological perspective, there is frequently no need for artificial regeneration. Artificial reintroduction of species will circumvent natural successional changes, are often unsuccessful and will have unanticipated side effects even if successful. If native species are failing to reestablish naturally, that failure will frequently be associated with other reasons than the absence of seed sources or colonists. If warranted, artificial regeneration should use only species and seed sources native to the site, and should be done in such a way that recovery of native plants or animals is unhampered.

Do not impede the natural recovery of disturbed systems.

Delays in recovery may increase the likelihood of extirpation of stressed populations, or may alter the pathway of recovery altogether. As a practical example, areas that have experienced the effects of a severe burn and are likely to exhibit high erosion should not be subjected to additional management activities likely to contribute to yet more sedimentation. Efforts should focus on reducing erosion and sedimentation from existing human-caused disturbances, e.g., roads, grazing, salvage logging.

RECOMMENDATIONS ON POST-FIRE PRACTICES

Salvage logging should be prohibited in sensitive areas.

Logging of sensitive areas is often associated with accelerated erosion and soil compaction (Marston and Haire 1990), and inherently involves the removal of large wood which in itself has multiple roles in recovery. Salvage logging may decrease plant regeneration, by mechanical damage and change in micro-climate. Finally, logging is likely to have unanticipated consequences concerning micro-habitat for species that are associated with recovery, e.g., soil microbes. Salvage logging by any method must be prohibited on sensitive sites, including:

- in severely burned areas (areas with litter destruction),
- on erosive sites,
- on fragile soils,
- in roadless areas,
- in riparian areas,
- on steep slopes,
- any site where accelerated erosion is possible,
- in watersheds with existing serious sedimentation problems (e.g. South Fork Salmon River, Idaho).

On portions of the post-fire landscape determined to be suitable for salvage logging, limitations aimed at maintaining species and natural recovery processes should apply.

Dead trees (particularly large dead trees) have multiple ecological roles in the recovering landscape including providing habitat for a variety of species, and functioning as an important element in biological and physical processes (Thomas 1979). In view of these roles, salvage logging must:

- leave at least 50% of standing dead trees in each diameter class;
- leave all trees greater than 20 inches dbh or older than 150 years;
- generally, leave all live trees.

Because of soil compaction and erosion concerns, conventional types of ground-based yarding systems (tractors and skidders) should be generally prohibited. New equipment or techniques may be suitable where it can be demonstrated that soil integrity will be protected, that is, where acceleration of soil erosion and increased soil compaction can be demonstrated not to occur, and where there is no impairment of hydrologic and biological soil

integrity. Helicopter logging and cable systems (particularly those that provide partial or full suspension) using existing roads and landings may be appropriate as may be horse logging; however, even these methods are not without potential problems and could locally increase runoff and sediment. Therefore, they must be actively monitored and avoided where sedimentation is already a major problem for salmonids or other sensitive aquatic species. Any activity that disturbs litter layers or soil surface horizons, either pre- or post-fire, can accelerate soil erosion and sediment delivery to aquatic systems.

Building new roads in the burned landscape should be prohibited.

Roads are associated with a variety of negative effects on aquatic resources, including disruption of basin hydrology and increased chronic and acute sedimentation. Under no circumstances should new roads be introduced into sensitive areas, including roadless or riparian areas. Outside of these areas, road building should be avoided except where new road construction may be necessary to complete a larger program of partial or complete road obliteration. In such instances, offsetting benefits must be demonstrated. These may include cases in which a new road segment has been demonstrated to be necessary to enable the obliteration of other roads that cause significant potential or existing adverse environmental impacts.

Active reseeded and replanting should be conducted only under limited conditions.

Introduction of non-native species or exotic genotypes of native species should be prohibited from all reseeded/replanting programs. Seeding grasses into burned forests has been shown to disrupt recovery of native plants and is likely to create more problems than it solves (Amaranthus et al 1993). The use of pesticides, herbicides and fertilizers should generally be prohibited. Spot-specific hand application of herbicides only for the removal of exotics may occasionally be considered if there is evidence that such action is likely to lead to long term reclamation of the site.

In general, active planting and seeding has not been shown to advance regeneration and most often creates an entirely new, exotic flora. In addition, reseeded is associated with additional problems and costs. Therefore, such practices should be employed only where there are several years of evidence that natural regeneration is not occurring. For example, native species from regional stocks that may enhance fire resistance of a site may be planted if

the effect is not to homogenize the landscape, (e.g., alder in southwestern Oregon and Northern California).

Structural post-fire restoration is generally to be discouraged.

Frequently, post-fire restoration efforts involve the installation of hard structures including sediment traps, fish habitat alterations, bank stabilization, hay bales, weirs, check dams, and gabions. Such hard structures are generally not modeled or sited on the basis of natural processes, and their ability to function predictably may be particularly low in dynamic post-fire landscapes. Hard structures have high rates of both failure and unanticipated side effects. Therefore, structures are generally an undesirable and unsuccessful method for controlling adverse environmental impacts.

Sediment management should focus on reducing or eliminating anthropogenic sources prior to their initiation (e.g., improve stream crossings to prevent culvert failure), and protecting and maintaining natural sediment control mechanisms in burned landscapes, particularly the natural recruitment of large woody debris on hillslopes and in streams. The goal should be to reestablish the natural post-fire background quality, quantity and timing of sediment, including the presence of large woody debris, and this level should be considered the baseline.

Post-fire management requires reassessment of existing management.

For example, the condition of a transportation system (i.e., pre-existing roads and landings) should be reassessed after a fire. By increasing runoff, erosion, and sedimentation, fires may increase the risks posed by existing roads. Therefore, post-fire analysis is recommended to determine the need for undertaking road maintenance, improvement, or obliteration. There is some urgency to this reassessment as the longer appropriate treatments are put off, the more likely it is that failure will be triggered by a large runoff event. Additionally, post-fire livestock grazing should be altered or eliminated to allow natural recovery processes to occur.

Continued research efforts are needed to help address ecological and operational issues.

There is a need to research certain questions in order to guide post-fire management decisions. For example, some argue that salvage logging is needed because of the perceived increased likelihood that an area may return. It is the fine fuels that carry fire, not the large dead woody material.

We are aware of no evidence supporting the contention that leaving large dead woody material significantly increases the probability of reburn. There is a regional need for retrospective analysis concerning the probability and effects of "reburn". Sites exist throughout the western United States where the risk and consequences of reburning of already burned landscapes may be retrospectively addressed. This analysis must precede any management recommendation based on the probability of reburning.

Research is needed on the role of dead wood in terrestrial ecosystems – in particular, how much wood should be left on a particular site and across the landscape to provide for the full range of ecosystem processes and the needs of species. Some whole watershed retrospectives should be developed. Continued research is needed on the fire ecology of forest and riparian areas.

Although historical research and experience has highlighted the adverse effects of ground based heavy equipment, roads, and harvest in riparian areas, new research efforts are needed to evaluate the environmental effects of alternative post-fire/salvage operations, roading activities, and site preparation.

The public must be educated regarding natural fires and post-burn landscapes to provide balance to the "Smokey Bear" perspective of fires and forests.

Although post-fire landscapes are often portrayed as "disasters" in human terms, from an ecological perspective, fire is part of the normal disturbance regime and renewal of natural forest ecosystems. An increased appreciation and understanding of natural disturbance regimes in the ecology of forest ecosystems is needed by the public, and the public's land managers.

RECOMMENDATIONS CONCERNING FIRE MANAGEMENT

Fires should be allowed to burn naturally when feasible. In some drier forest types that may be prone to intense fires and are irreplaceable wildlife habitat, prescribed fires or underthinning to remove fire ladders (leaving the larger, fire resistant trees) may be considered to reduce fuel loads. Fire suppression may also be necessary to accomplish the short-term goals of protecting human lives and structures. Prescribed burning may be a useful tool in reducing fuels around developed areas and may make it easier to protect those areas. Large fires could be necessary (and inevitable) to maintain or restore some landscapes in the western United States,

particularly lodgepole and spruce fir forests, to their historical patterns (Baker 1992, 1994; Turner and Romme 1994).

Policies should be developed to reduce the number of human structures within areas with high potential for fires. New structures must be discouraged in fire prone areas. If healthy forests are to be recovered, then one has to be able to manage those without undue concern for human structures. Fire suppression policies across forest ecosystems should not become hostage to the encroachment of inappropriate human developments in fire-prone areas.

Fire suppression activities should be conducted only when absolutely necessary and with utmost care for the long-term integrity of the ecosystem and the protection of natural recovery processes.

The use of surface water from small streams and ponds has not proven generally effective in fire suppression. Pumping from small streams and rivers increases the risks to aquatic ecosystems from post-fire events. When pumping is utilized, it should be conducted from sufficiently large streams and lakes that the effects on aquatic biota are negligible.

Fire suppression activities should not include bulldozing stream channels, riparian areas, wetlands, or sensitive soils on steep slopes or using such areas as access routes for vehicles and other ground-based equipment.

Fire lines created by mechanical equipment should not be permitted in riparian zones, sensitive soils on steep slopes, or other ecologically sensitive areas.

Virtually no fire suppression should be permitted in wilderness areas.

When land ownerships are mixed, the federal land management agencies should establish policies to prevent conflicts between re-establishment of natural disturbance regimes on federal land and the protection of private property.

For example, federal agencies may decide to purchase easements or issue insurance policies under procedures analogous to flood insurance that would reimburse those landowners who had practiced proper forest management for the value of lost timber from natural wildfires. These policies should obviously be prospective. Recent fires only underline the need for these policy changes.

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Statement
of
Robert T. Hitchcock
President
Evergreen Forest Products, Inc.
Tamarack, Idaho

Before the
Timber Salvage Task Force
Committee on Resources
U. S. House of Representatives

Oversight Hearing on Timber Salvage Issues

Lewiston, Idaho

October 6, 1995

Mr. Chairman and Members of the Task Force, I appreciate this opportunity to appear before you today to discuss timber salvage on federal lands. This is a subject that has consumed much of my attention since the devastating forest fires struck the Payette and Boise National Forests in South-central Idaho in mid-1994.

These fires, as you know, were a catalyst for the Taylor-Dicks Emergency Salvage Timber Sale legislation signed by the President in late July. The emergency salvage legislation will reduce paperwork, streamline bureaucratic procedures, and eliminate frivolous appeals. These changes should enable federal forest managers to salvage more timber in the next 15 months. However, the legislation was enacted too late to expedite salvage of the nearly two billion board feet of timber killed or damaged by the Idaho fires in 1994.

We very much appreciate all the hard work that went into passage of the emergency salvage legislation. It is an important step in a long-range effort to restore common-sense, multiple-use management to the federal forests. However, like others who will testify before this Task Force during the next few weeks, I am concerned that the Clinton Administration is exploiting some of the discretion that Congress provided and is proceeding with a "business as usual" approach to salvage.

Before I share my thoughts with you on this subject, let me take a few minutes to provide some details about Evergreen Forest Products and our long-standing interest in federal timber sales, both green and salvage.

Background Information

Evergreen Forest Products is a family-owned business. We operate a sawmill, planer, and co-generation plant at Tamarack, on Highway 95, seven miles southwest of New Meadows, Idaho. Our facilities are modern and efficient. We employ state-of-the-art manufacturing processes to make lumber for the domestic construction market. Present production is approximately 50 million board feet of lumber per year. We run two shifts and provide solid, family-wage jobs for 100 people. Another 150 loggers and truckers have jobs because of our mill.

For 31 years, Evergreen has been one of the primary timber purchasers on the Payette National Forest. We can and do obtain logs from the Boise National Forest and forest lands managed by others, including the Bureau of Land Management (BLM), the State of Idaho, and private individuals. However, the Payette National Forest remains our principal source of raw material. I would estimate that over time, approximately 65 percent of the logs converted to products at our mill originated on the Payette Forest.

Briefly, in the early 1990s, we thought the Payette National Forest might avoid the legal/political strangle-hold that has virtually choked-off the sale of federal timber in the Pacific Northwest. Our optimism was, unfortunately, short-lived. Instead of the 75 to 80 million board feet of timber that was sold from the Payette National Forest in the 1970s and 1980s, timber sale levels are now in the 40 to 50 mmbf range. (The listing of certain salmon runs as "endangered" or "threatened" under the ESA are largely to blame.)

Evergreen is a company that has always placed great value on maintaining an adequate volume of timber under contract. In recent years, however, we have had to operate just as everyone else has — essentially from hand to mouth. Instead of the 36+ months of timber under contract that we prefer to maintain, we now have only 15 months of timber ahead of us. How, you might ask, could our situation get worse?

The 1994 Wildfires

In July 1994, everyone in our area watched in horror as wildfires raced out of control on the Payette and Boise National Forests. Despite a massive mobilization of people and equipment, the fires were never contained. They burned for three months and were only extinguished by the falling snows of winter.

A precise assessment of the volume of timber lost to these fires was never made. However, the Forest Service made some ballpark estimates of the volume of timber on the two forests that could have been salvaged. According to these estimates, the Payette and Boise National Forests had 1.4 billion board feet and 500 million board feet (respectively) of salvageable timber.

After the fires were out, forest managers on both the Payette and Boise National Forests went into the field to assess damage and respond to the challenge of salvaging some of the fire-killed timber. To their credit, personnel on the Boise National Forest felt a great sense of urgency. Remembering the foothills fire that had decimated a portion of that forest in 1992, Boise officials moved swiftly and decisively. Almost immediately they began to design salvage sales and prepare environmental assessments as required under the National Environmental Policy Act of 1969.

Officials on the Payette Forest, on the other hand, spent the first few months after the fire trying to decide if they should sell any salvage timber at all. As you know, much of the acreage burned in 1994 was in roadless areas and/or drainages that may have historically supported anadromous fisheries (although there are no such fish now). Thus, Payette officials thought they should consider a "no salvage" option.

Those of us whose businesses are dependent upon Payette National Forest timber are still shocked that dedicated, responsible USFS managers would even consider not putting up some salvage sales. (Remember, 1.4 billion board feet of salvageable timber was available!) Mr. Chairman, that brings me to the first of three key points I want to make to this Task Force.

Congress Must Set Salvage Minimums and Ensure Accountability

Left on their own, some forest managers (like those on the Boise) will respond quickly and aggressively to the salvage challenge. Other forest managers will take their time and may even conclude (as those on the Payette nearly did) that timber salvage is not a priority at all.

In order for there to be a significant, sustained, national timber salvage effort, Congress must give federal forest managers—from the Secretary of Agriculture, to the Chief of the Forest Service, to individual supervisors and district rangers—unambiguous direction to remove a certain minimum portion of the dead and dying timber that becomes available each year. And, just as importantly, Congress must hold those officials—from the Secretary on down—accountable for meeting those minimum requirements.

The original version of the Taylor-Dicks amendment, as passed by the House of Representatives on March 16, required the Secretaries of Agriculture and Interior to “prepare, offer, and award” certain minimum salvage volumes. The Clinton Administration objected to such “hard and fast” volume requirements and they were deleted from the final version of the legislation. Dropping the minimum requirements was a mistake... *a successful salvage effort must be gauged by a single measure: the volume of salvage timber actually sold.*

The Secretary of Agriculture has already reduced his estimate of how much timber will be salvaged under the Taylor-Dicks legislation, and I predict you will continue to see the Administration backpeddle until we are left with a “business as usual” salvage program. Congress simply cannot let that happen. *Business as usual is no longer acceptable.*

Congress Must Reaffirm the Primacy of the Forest Service and BLM to Sell Timber

Probably the main reason why timber sales on the Payette National Forest have declined in recent years is the listing of several salmon species as threatened or endangered (even though there are but a handful of salmon returning to Idaho to spawn). The agency with primary responsibility over these fish—the National Marine Fisheries Service (NMFS)—must be “consulted” with respect to any timber sale taking place in drainages that could support one or more of the listed salmon species. Not surprisingly, NMFS biologists always come down in favor of the salmon. Time after

time we have seen timber sales stopped completely or saddled with costly, unnecessary fish mitigation requirements. *Sadly, these consultations between NMFS and the Forest Service/BLM do not produce more salmon. All they produce is less timber. This has got to change.*

Again, it is useful to look at what happened on the Payette National Forest (and to a lesser extent on the Boise National Forest) in the aftermath of the 1994 forest fires. As I mentioned earlier, the fires started in July and were not extinguished until the snow started to fall in October. Once the fires were out, the clock started ticking. Anyone who knows anything about log decay and merchantability understand that the vast majority of the trees had to be removed during the 1995 field season (July-October) or the logs would be worthless.

Unfortunately, Payette National Forest officials did not decide to proceed with a salvage program until January 1995. The next eight months were consumed by informal "discussions" with NMFS, the Fish and Wildlife Service (FWS), and the Environmental Protection Agency (EPA). A full-blown environmental impact statement was also prepared. It was not until August that Payette officials moved forward with specific fire salvage sales. At that time, eight specific salvage timber sales were identified and six of the sales submitted to NMFS, FWS, and the EPA for "consultation" (that does not include the Thunderbolt sale that is partially located on the Payette). Those six sales are still awaiting formal approval by the other agencies.

Mr. Chairman, that brings me to the second key point I wish to emphasize. Under the Taylor-Dicks legislation, the Secretaries of Agriculture and Interior have sole discretion over the sale of salvage timber from forests under their respective jurisdictions. Not only do they not have to consult with other agencies, Congress specifically intended that such consultations be avoided.

We have irrefutable evidence of what happens when agencies other than the Forest Service or the BLM are given "joint jurisdiction" over salvage timber sales (as the Administration did in its August 9 Memorandum of Agreement). Either one of two things happen: the sales disappear into a "black hole" never to be seen again, or they emerge loaded to the hilt with costly fish mitigation requirements. In either case, the preservationists and pseudo-science champions win. Either the sales are held-up so long that they lose all economic value or else they contain enormously expensive mitigation measures that all but assure that there will be no bidders for the timber.

An example of the latter situation is the proposed "Fall-Carey" timber sale. That sale, of approximately 7 mmbf includes the installation of \$490,000 of crushed gravel on a presently graveled road. Given the fact that some 75 percent of the volume to be offered for sale is "white woods," we doubt seriously if this sale will attract any bidders, unless it is realistically-priced. And, that, is the third key point I want to make today.

Salvage Sales Must be Well-Designed and Realistically-Priced

The two sales on the Paytte that were not submitted to NMFS, et al. for consultation have been offered for sale. One of the sales, "Brush Creek," (8.2 mmbf) was primarily house logs. That sale sold to a log home builder. The other sale, "Fall Creek," was offered for sale on September 22, but received no bids. The Fall Creek sale was estimated by the Forest Service to contain 4.2 mmbf of white fir and Douglas fir. Our own cruisers estimated that the volume was less than half the amount advertised. Given the expensive road job associated with the sale, the high advertised stumpage prices set by the Forest Service, and the volume discrepancy, it is no wonder the sale did not sell.

But, make no mistake about it, properly-designed and realistically-priced salvage sales will sell. Mills throughout the West are still scrambling for timber. The demand is there, but federal forest managers must recognize that buying a salvage timber sale involves a lot of risk for the purchaser. USFS and BLM officials must do their best to reduce that risk to an acceptable level.

Some Concluding Thoughts

In closing, Mr. Chairman, I offer the following thoughts for you to ponder:

- A "business as usual" approach by the Forest Service and BLM to timber salvage is simply unacceptable. The Taylor-Dicks Emergency Salvage Timber Sale Program was established because the *status quo* had become (and remains) intolerable.
- Success of the Emergency Salvage Program must be gauged by a single measure: the volume of salvage timber actually sold.
- This is an emergency situation and the Administration should respond accordingly. Creating additional procedures and/or bureaucracies is not an acceptable response. (The house is on fire. Rearranging the furniture is nonsensical.)
- If the Administration does not produce measurable results (more timber) very quickly, then Congress must take away some of the discretion which the Administration was given. (A prime target, in our opinion, ought to be the "joint responsibility" clause in the MOA.)
- Given demand for federal timber, properly-designed, realistically-priced salvage sales will sell.

Mr. Chairman, it is important to remember that salvage timber sales produce many benefits. Precious federal resources are used, not wasted. Funds are generated for necessary forest health restoration work. Mills receive desperately needed timber. Good, hard-working people remain employed. And, future forest disasters (wildfires, insect epidemics, etc.) are averted. Given these benefits we think that an aggressive timber salvage sale program is good for America. ***Let's get on with it!***

Testimony of
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My name is Dick Willhite and I would like to thank the committee for this opportunity to testify. I am presently employed as the resource manager for Shearer Lumber Products in Elk City, Idaho. I have a Bachelor of Science degree in Forest Management and have worked in forestry related jobs for the past twenty three years. I have been involved with the National Forests in north Idaho for over 18 years, mainly the Nez Perce National Forest, I will therefore be speaking primarily about the Nez Perce National Forest.

The response of the National Forests that make up Region 1 to the salvage provisions of P.L. 104-19 were quite diverse. Some forests seemed to view the provisions of the law as an opportunity to address some very real forest health problems while supplying timber desperately needed to support the local economy. Other forests seemed to view the bill as an unwarranted intrusion into "their business" and something which would have to be accommodated, hopefully, with a minimum of disruption to "business as usual". President Clintons' letter of August, 1 and the subsequent Memorandum of Agreement of August, 9 lowered the aspirations of the first group and reinforced the business as usual attitude of the second group.

The response of the Nez Perce Forest to the salvage provisions of Public Law 104-19 appears to be in the business as usual group. The 1996 timber target for the Nez Perce Forest totals 22 million bd. ft. This is broken down as 7 million bd. ft. of green material and 15 million bd. ft. of salvage of which 5 million is being attributed to the salvage bill (P.L. 104-19). The figures being talked about for 1997 include approximately 12 million bd. ft. attributable to the salvage bill from a total target volume in the 30 to 35 million bd. ft. range. It should be noted that the target for fiscal 1995, which ended Sept. 30th, was approximately 50 million bd. ft. while the actual accomplishment for 1995 was 3 million bd. ft. which included 2 million bd. ft. of firewood and posts/poles. The 1994 target was 53 million bd. ft. with an accomplishment of 10 million bd. ft. of which only 1.7 million bd. ft. was sawlog material.

To understand the significance of these low target and accomplishment figures a brief overview of the timber resource available on the Nez Perce may be helpful.

The Nez Perce National Forest consists of approx. two million acres, one million acres of which are statutory Wilderness. The remaining acres were allocated to various uses during the Forest Planning effort of 1986-87. The Forest determined that approx. 900,000 non-wilderness acres were capable of growing timber on a commercial basis. Various set-asides reduced this acreage to approx. 600,000 acres. These 600,000 acres, which contain approximately 12 billion bd. ft. of timber, are the "base acres" on which the ASQ (Allowable Sale Quantity) was calculated. The ASQ on the Nez Perce was set at 103 million bd. ft. (sawlog) per year in the Forest Plan. This 103 mbf figure had very little to do with such things as the standing inventory, annual growth and annual mortality rather it was a well intentioned (and futile) attempt to avoid confrontation with various anti-timber harvest special interest groups.

The Nez Perce Forest was in 1986 and is today a mature to overmature forest. The Forest Service is well aware that they are dealing with a mature forest that is, from a forest health perspective, in decline. They revealed, in the Forest Plan Final Environmental Impact Statement (page III-48), that 80% of the 900,000 tentatively suitable acres consisted of sawtimber stands at or beyond culmination of mean annual increment. This mature to over-mature forest was, and is, a disaster waiting to happen. An indication of the extent of this problem was revealed in an internal Forest Service report produced in June of 1993 titled "An Estimate of Timber Mortality and Potential for Salvage-Nez Perce National Forest". This report estimates the annual mortality on the 600,000 base acres at over 300 million board feet per year. (300 million board feet of timber is enough to run Shearer lumber for over 14 years on a one shift basis). The report concludes that *"Despite an apparent large volume of timber which dies annually it's likely that little of it occurs in amounts to make large scale salvage feasible. Furthermore, since most is associated with endemic levels of root disease, a large salvage effort would not be possible or prudent without a significant inventory and analysis effort entailing a major shift in management direction."*

The assessment that *"a large salvage effort would not be possible or prudent without ---- a major shift in management direction."* is the mind set that made the passage of emergency salvage legislation

critical. However passage of the salvage provisions of P.L. 104-19 did not solve the problem on the Nez Perce Forest. The combined 1996 and 1997 salvage targets for the Nez Perce total less than 10% of the estimated annual mortality. This failure to confront the mortality problem can only result in a continuation of the trend of ever larger wildfires in the inland region.

The timber mortality report cited above was produced in June of 1993, since that time Shearer Lumber Products cut its workforce in half by laying off the second shift in July of 1993. The Idapine sawmill in Grangeville shut its doors in Nov. of 1994. The net result of these layoffs was the loss of over 150 full time year round sawmill jobs and the loss of over 100 logging jobs. These lost jobs were caused entirely by the lack of Federal timber sales.

The Nez Perce forest maintains that their inability to perform is mainly because of the listing of the Chinook Salmon as an endangered species and the resulting consultation requirements with NMFS. This is in part true, however the Nez Perce Forest has approximately 2100 miles of existing permanent road, at least 50% of which goes through mature to overmature stands of timber. These stands are in decline and almost certainly would support "salvage timber sales" as defined in the emergency salvage provisions of P.L. 104-19. Cutting just 20% of the volume from these stands in a salvage/sanitation harvest prescription would make over 1 billion bd. ft. of salvage timber immediately available for harvest, by conventional logging methods, with no new road construction to impact anadromous fish.

The only hope of survival for the sawmills dependent on the Nez Perce Forest (and the communities that depend on the sawmill jobs) is for the Nez Perce Forest to grasp the opportunity created by the salvage legislation. There can be no doubt that the harvest of a substantial portion of the 1 billion bd. ft. plus of dead and dying timber that is adjacent to existing roads would save these communities and also leave a healthier more sustainable forest.

**Testimony of
James Mallory
Clearwater Area Woodland Manager
Potlatch Corporation
Before the
House Resource Committee
October 6, 1995
Lewiston, Idaho**

Mr. Chairman, Congressman Chenoweth and members of the committee, I am Jim Mallory and I am currently Woodland Manager for the Clearwater Area of Potlatch Corporation, much of which abuts or is intermingled with the Clearwater National Forest.

I appreciate the opportunity to be here this morning and to comment on the performance of the Clearwater and the U.S. Forest Service in response to the salvage language in the 1995 Omnibus Rescissions Act. As you know, Potlatch supported the initial salvage amendment and the subsequent revisions.

In general we have been disappointed with the Administration's response to the salvage requirements. Responses to our letters from President Clinton and his subordinates clearly stress their overall opposition to the emergency salvage program and imply that they intend to challenge the effort through administrative procedures. We consider this a direct violation of congressional intent and we applaud your continuing efforts to press for compliance with the law.

However, we would be remiss if we did not acknowledge the Clearwater National Forest for its aggressive approach to identifying salvage opportunities and preparing salvage timber sales. For example, even before final passage of the bill, the Clearwater recognized the necessity of identifying potential salvage so that it could move rapidly to prepare sales if the additional authorization was realized. Time is of the essence in salvaging dead and downed timber to assure capture of the maximum usable volume. The Forest began with aerial surveillance of the Forest's roaded areas,

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using a sophisticated global positioning system and the assistance of an entomologist. This resulted in identification of fresh mortality in several areas, principally in the Pierce and Palouse Districts. Subsequent "ground-truthing" of these areas revealed that some were actually in areas where recent salvage operations had been completed. This is a point I would like to come back to in just a moment.

With passage of the salvage bill, the Clearwater moved quickly to begin the public involvement process and eliminate any misinformation that might be generated among affected stakeholders on all sides. They also retained the service of six smokejumpers and retrained them as cruisers. It is our understanding that the forest has four five-person marking crews at work preparing sales.

Clearwater Forest timber staff tell us they have identified approximately 37 million board feet of salvage on approximately 8,000 acres. That's 8,000 acres they plan to treat out of a total forest acreage of two million. Most of this salvage will be accessed from existing road systems.

All that said, this is a very modest salvage program by any standard. It is hardly evidence that the Forest Service is using the salvage bill as vehicle for violating existing environmental laws and standards. All of the sales will follow a full Environmental Analysis. Numerous briefings have already been held for the public and more are planned. I understand the Forest will be releasing their action plan this week.

We also appreciate the Clearwater's decision to sell the salvage volume via the "scaled sale" system rather than in "lump sum" sales. This will make the sales more palatable to purchasers who must assume the risk for deterioration and decay. The Clearwater is also billing the salvage as volume that is "additional" to the planned

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green sale program of 39 million board feet for fiscal 1996. This will provide a total 1996 sale program of 76 million board feet. While this is an improvement over past performance, it is still far below the Forest Plan ASQ of 173 million board feet and considerably less than the annual growth, on just the suitable acreage, of 280 million board feet.

Although the Forest's failure to harvest its ASQ is having a devastating affect on local industry and employment, it is also resulting in some unintended forest health consequences. To illustrate, I'd like to go back to a point mentioned earlier regarding the aerial identification of fresh mortality from insects and disease in recently completed salvage sales. These findings are particularly discouraging and indicative that the Forest Service strategy for maintaining the health of the forest is failing. Mapping of this fresh mortality, when overlaid on the forest, reveals a pattern of steadily encroaching disease and insect infestations that have been accelerated by the distress of prolonged drought.

The Clearwater is attempting to address short-term problems with the current salvage program by including distressed timber in the salvage effort. This is permitted under the law for ecosystem restoration and to achieve the general objective of improving forest health. While this is a laudable effort, it's a drop in the bucket on the Clearwater and is no solution to the long-term forest health problems on the national forests across the intermountain region. To quote one Forest Service professional, "the need for salvage is a blatant admission that we've failed to preserve the health of the forest."

Over a year ago, forest scientists joined in an unprecedented call for aggressively managing the national forests of the intermountain region in a last-ditch effort to save them from the consequences of years of non-management. The fires that burned

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through nearly a million acres of Idaho national forests last summer, followed by the wash-outs on the Boise this summer, are just the latest in a mounting pile of evidence that a lack of management is something we can ill afford from either an environmental or economic viewpoint. I believe this view is shared by many in the Forest Service, although they are prevented from saying so in the current political climate. Many have left the agency after being continually frustrated by inaction and poor policy. Sadly, they are the very people the agency needs now to move ahead quickly with emergency salvage measures.

There are several impediments to a successful salvage program. First, the Forest Service is saddled with conflicting laws and regulatory requirements. The provisions of the National Forest Management Act, the Clean Water Act, the National Environmental Policy Act and the Endangered Species Act must be rationalized in a way that permits the agency to function. Of these, the Endangered Species Act represents the greatest single impediment because it cuts across all agencies and political structures.

Second, the Forest Service appeals process remains an obstructionist tool despite continuing efforts to rationalize and streamline its requirements. It gives unlimited license to anyone who disagrees with the professionals in the agency. In the case of timber salvage, it allows the tactics of delay to become the ultimate obstruction by permitting the deterioration of dead timber beyond the point where it has economic value.

Finally, as mentioned earlier, the Forest Service has lost and continues to lose valuable technical skills as frustrated timber staff people retire, resign and move on. Not only are they frustrated by the process, they are deprived of incentives and encouragement shared by other disciplines within the agency.

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In conclusion, let me reiterate our support of the effort currently being made by the Clearwater to respond to the salvage legislation. They should be encouraged, even though the program is modest and geared mostly to existing roaded areas. At the same time, we must add that the Clearwater's lack of an active timber and vegetation management program, including timber harvest, is rapidly eroding the health of the forest. This is also true for many national forests in the intermountain area.

Without major changes in direction, the U.S. Forest Service will wind up presiding over the deterioration of the very forests it is chartered to protect while spreading unnecessary economic pain and dislocation in the communities it was intended to serve.

**Statement by the Honorable Senator Dirk Kempthorne
Before the House Salvage Task Force Hearing
October 6, 1995
in Lewiston, Idaho**

I would like to commend my colleague, Congressman Chenoweth, for coordinating this Task Force Field Hearing on an issue of such importance to Idaho. I also welcome Representatives Cremeans and Cooley to Idaho. Just a few months ago I toured many of the same areas that they will have seen today, and I am sure it will leave them with the same impression -- that our forests are dying at unprecedented rates, that we have the ability to manage areas damaged by fire, disease, insect and drought, and that we must act to correct these problems, to ensure a stable timber supply and to protect our environment.

Congress passed a law last spring that gave the Administration the ability to expedite recovery and salvage projects. Yet, instead of focusing on streamlining the decision making process, a Memorandum of Agreement was signed between federal agencies, under the direction of the Council on Environmental Quality (CEQ), to create a committee review system.

Action that should be encouraged is being stifled, despite the specific direction of Congress to move quickly and efficiently. I hope that the Idahoans speaking here today will make it clear to the Administration that forest recovery operations are vital to the environmental and economic health of our state.

The Thunderbolt Recovery project is one example of a project caught in that process. By Forest Service estimates, delays and adjustments to the sale have reduced the proposed volume by 18 million board feet of timber. That is enough timber volume to provide over 160 jobs in a part of the state that sorely needs those jobs. It was only last week, after I questioned the Administration's nominee to head the CEQ in a hearing, that I received notice the Thunderbolt would go forward, and that the other agencies would defer to the Forest Service. I would like to enter for the record copies of the letter from the Forest Service Chief directing Region 4 to begin work on the Thunderbolt, and a letter from the Director of the National Marine Fisheries Service agreeing to defer to the Forest Service. No such letter has yet been sent from the Environmental Protection Agency.

The salvage expediting law passed by Congress provided for consideration of our nation's environmental laws, and placed the focus of decision making where it should rightly be -- with the scientists and land managers of the Forest Service and Bureau of Land Management. It is unprecedented to give other federal agencies such veto power as this committee process has done. When asked in a recent hearing, the Administration could not even

respond as to which agency has the lead. American taxpayers deserve to know who is responsible for the way their tax dollars are spent, and what agency is responsible for the implementation of federal policy. The buck must stop somewhere.

I hope that the Thunderbolt has a green light. I am concerned that the EPA has not yet added its voice in support. I am also concerned that there are other recovery projects pending consideration under this same system, and that they too, may come up against the wall that seems to have been created.

I ask that the responses I received from the National Forests in Idaho regarding the implementation of the salvage provisions be entered for the record. I also ask that the attached copy of a letter sent to Forest Chief Jack Ward Thomas on those salvage operations and the Memorandum of Agreement from the Western Legislative Forestry Task Force.

I cannot emphasize enough that this system has only strengthened my resolve to bring common sense and balance to the Endangered Species Act. We must ensure that these laws are acting to improve the legacy we pass on to our children, and supporting responsible action to preserve it. My bill is undergoing its final revisions and I expect to introduce it within the next few weeks. It has benefitted from the suggestions and thoughts of many of the same people testifying here today, as well as people from across the state, and it will be an Idaho bill for the nation.

Much focus seems to be on the harvest associated with fire site recovery efforts. And rightly so. Those are resources that will be lost to the people of this nation if they are not harvested soon. The sales are important to our state, for the income they bring to the timber industry, and the funds they bring to our county roads and district school budgets. In Idaho county, for example, these forest service funds account for 25 percent of the funds for county roads and schools. The timber industry is a cornerstone of Idaho's economy and culture. Yet, we have seen, this year alone, mills close across the state -- in Post Falls, Grangeville, Salmon, and Council. Those mills take with them jobs and tax base that these communities depend on.

A strong Idaho economy depends on a stable timber supply. But a healthy environment depends, in turn, on that strong economy. We must have the resources to protect our environment. I raise this point because I believe that the environmental degradation caused by these fires can be overlooked.

The nature of our forests has changed since Idaho was first settled, and so has the nature of the fires. For the past century, one of the forest management goals has been to suppress fire. As we saw from the fires last year, that is not possible. Conditions have changed on our forests so that they are primed for massive, catastrophic fires.

But our forest managers are learning to use fire as a tool to promote forest health, and restore our forests to a fire resistant state. And they have demonstrated successfully how to use emergency burn rehabilitation after a massive fire to protect the most sensitive parts of a forest ecosystem, the soil and the water.

A forest soil is a fragile, shallow layer of nutrients beneath a layer of pine needles, leaves and other debris. The layer has built up over the past century of fire suppression, and is one of the reasons that fires now burn so hot -- as hot as 5000 degrees. At those temperatures, the soil is damaged to the point that water cannot penetrate. It creates a drought condition that stifles plant regrowth. It will take six years before the soils damaged by the hot spots of last year's fires will begin to return to normal conditions.

In the meantime, those areas are vulnerable to devastating erosion. Earlier this year we saw washouts on the Boise National Forests in areas where they were not able to begin recovery and salvage efforts. Damaged soils require physical wearing, either through years of freezing and thawing or through managed rehabilitation, which can include contour felling and salvage sales -- carefully planned activities to break up the damaged surface layer and allow water to penetrate. You have only to look at what the Boise National Forest has been able to accomplish in the few years since the Boise Foothills fire.

These fires are even more devastating than the damage done when Mount Saint Helens erupted 15 years ago. True, tons of rock and ash buried the surrounding area, and the blast knocked over entire forests for miles. It was a year afterward before life began return to that devastated area. But experts tell me that the fires that have burned across Idaho in recent years have done greater long term damage to our environment. If no action is taken, it is only a matter of time before soils left unprotected and impermeable erode into watersheds that are home to native and endangered fish. If left to nature, how long would it take these areas to recover? I believe we have only to look up the Clearwater River, past the reservoir and up the North Fork where our state saw devastating fires in 1910. There are many slopes in that back country which are still covered with nothing but scrub and brush. Those fragile forest soils were not protected, and since the shallow layer of topsoil has been eroded, it will take centuries to build it up to the point that it can support a forest type ecosystem.

The bottom line is that to do nothing is to allow the areas damaged by last years fires to suffer further. It will take - nature hundreds of years to replace those forests. That is not an acceptable legacy to leave to our children.

Attachments to statement of Judi Danielson

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Senator Marguerite McLaughlin
Senator Judi Danielson
Representative Dag Moser
Representative Charles Cuddy

OREGON

Senator Bob Knaugh
Senator Roney Miller
Representative Bill Markham
Representative Tim Welsh

WASHINGTON

Senator Bob Morton
Senator Jim Hargrove
Representative Cathy McMorris

EXECUTIVE DIRECTORS

Roger Seiber
Jerry Dockard

October 2, 1995

Jack Ward Thomas
Chief, Forest Service
Department of Agriculture
Washington, D. C.

Dear Chief Thomas,

The Western Legislative Forestry Task Force is comprised of state legislators from Alaska, Oregon, Washington, California, and Idaho for the purpose of a coordinated view of forestry issues from a western perspective. We are writing to express our extreme alarm over the implementation of the "recision" legislation as it relates to the removal of salvage timber. We further wish to advise you of the necessity that forest health become a primary focus of federal forestry policy. Simply stated, we are losing our western forests due to the lack of appropriate management of the public forest lands by federal agencies.

The reclusion legislation was an appropriate response by congress to the critical need to remove trees destroyed by fire and the dead and dying fire hazard trees while they still have economic value. This is necessary for forest health, responsible restoration of the forests and stewardship of the ecosystems. It is also necessary so that mills can remain open to provide jobs for our rural forest communities.

The proposition is really quite simple, we can remove trees while they have economic value and have others pay to do the work; or we can wait until the trees are rotten and of no value, and pay others to have them removed. Of course there is inadequate funding for removal of the fire killed, dead and dying fire hazard trees. It is not an option to leave all the dead and dying trees standing, creating second burn conditions which almost assures the elimination of the forest on a near permanent basis.

♦ Cooperative Action on Western Forestry Issues ♦

PO Box 953 • Boise, Idaho 83701 • (208) 342-8900 • FAX: (208) 342-8949

The Western Legislative Forestry Task Force was shocked and dismayed when it learned that the U. S. Forest Service had entered into a "Memorandum of Agreement" with several federal agencies which has had the effect of eliminating virtually all of the flexibility made possible by Congress to remove these dead, dying, and diseased trees. This is unacceptable!! Delay literally destroys our opportunity to remove dead and diseased trees and provide jobs. If we lose the opportunity to remove economically viable trees that have been destroyed by fire and blow down, the Task Force will hold the U. S. Forest Service directly responsible for the loss of this valuable economic resource, the closure of mills, the loss of jobs, and the establishment of conditions for tragic burn and reburn and permanent destruction of our forests we hold as a present and future trust for our children and our childrens' children.

Beyond the "recision bill", however, an even larger problem exists, that of forest health. We now have a volume of dead and dying and blow down trees throughout the western forests of monumental proportions. This is a crisis equivalent to a national emergency. If the U. S. Forest Service does not immediately deal with this emergency as the crisis it is, the Forest Service will be directly responsible for the destruction of literally billions of board feet of national timber. Green trees will be destroyed by fire, while remaining forests will be in imminent threat of destruction.

It is essential that there be a resumption of common sense management of our public forests. Forest health demands it. Beyond forest health, however, is the massive economic impact this lack of management is having on our economy and our communities. At a recent Task Force meeting in Idaho, a research study of the impacts of federal forest management policy on communities was presented by the University of Idaho. This detailed economic computer analysis was alarming. The impacts are massive, and far more extensive than generally recognized. It is not an exaggeration to say that the lack of common sense management of federal forest lands is not only destroying our forests, but our communities as well.

The Western Legislative Forestry Task Force can no longer remain silent. As elected state legislators we have voted at our October meeting in McCall, Idaho to express our concerns to you in the strongest possible terms. We can no longer sit by and watch our forests be destroyed and communities turned into ghost towns of economic ruin. We urge you to deal with this as the emergency crisis it is. We are dedicated to working with you to achieve a return to a healthy forest, and are equally committed to holding the U. S. Forest Service responsible for the destruction of the western forests if you do not work to achieve healthy forest conditions!

Congressional intent is violated in the "Memorandum of Agreement" for implementation of the salvage of fire killed, dead, and dying trees. The credibility of the administration and its

-page 3-

enforcing agencies is seriously jeopardized by a back door attempt to circumvent the laws passed by the representatives of the people. The administration only continues to fuel the division of this great country. We no longer see the United States Government being fair to its people in the west and want this agreement removed from the salvage of dead and dying trees immediately.

Marguerite McLaughlin Robin I. Taylor

Senator Marguerite McLaughlin, Idaho
Chair, Western Legislative Forestry Task Force

Senator Robin Taylor, Alaska
Vice Chairman

Jim Leslie

Senator Tim Leslie, California

Bob Morton

Senator Bob Morton, Washington

Judi Danielson

Senator Judi Danielson, Idaho

J. Welsh

Representative Jim Welsh, Oregon

Cathy McMorris

Representative Cathy McMorris, Washington

Boo Kintigh

Senator Boo Kintigh, Oregon

Charles Cuddy

Representative Charles Cuddy, Idaho

Dick Knox

Representative Dick Knox, Montana

cc: President Bill Clinton
Northwest Congressional Delegations

WESTERN LEGISLATIVE FORESTRY TASK FORCE
RESOLUTION 95-1

CALLING UPON CONGRESS TO ADDRESS THE FOREST PRODUCTS PROBLEMS FACING THE COMMUNITIES IMPACTED BY POLICIES IN THE TONGASS NATIONAL FOREST.

WHEREAS; The 17 million acre Tongass National Forest is the largest national forest in the nation and lies entirely within the State of Alaska; and

WHEREAS; The Tongass National Forest is one of the most protected forests within the National Forest System, with only 1.7 million acres scheduled for forest management; and

WHEREAS; The ANILCA, TTRA, and Tongass Land Management Plan puts 60 per cent of the productive old growth on the Tongass National Forest into protected status; and

WHEREAS; The Tongass National Forest has the highest level of fish habitat protection in the nation with mandated 100 foot buffer zones on Federal and State land and 66 foot buffer zones on private land; and;

WHEREAS; The Tongass National Forest was the site of one of the most effective economic development projects in this century when the U. S. Government entered into two long-term contracts which required the construction of two dissolving pulp mills; and

WHEREAS; The long-term contracts have produced thousands of direct and indirect year-round jobs for the citizens of Southeast Alaska, and have provided for further economic development and infrastructure in Southeast Alaska; and

WHEREAS; For four decades the long-term contracts have made possible residual small owner operations and helped support independent and SBA businesses; and

WHEREAS; Since passage of the Tongass Timber Reform Act of 1990 there has been a consistent decline in all aspects of the forest products industry of Southeast Alaska which depend upon the Tongass National Forest for raw materials; and

WHEREAS; The effects on the forest products industry have included reduced timber offerings, increase administrative withdrawals and other actions which have impaired the ability of the industry to sustain itself, resulting in a loss of jobs; and

WHEREAS; The forest products industry is a vital and important part of the Southeast Alaska social and economic fabric which we believe should be maintained;

NOW THEREFORE BE IT RESOLVED; That the Western Legislative Forestry Task Force call upon the United States Congress to address the problems facing the forest products industry in the Tongass National Forest; and

BE IT FURTHER RESOLVED; That the Western Legislative Forestry Task Force urges the United States Congress to investigate the implementation of the Tongass Timber Reform Act and its relationship to the loss of jobs and economic stability in Southeast Alaska; and

BE IT FURTHER RESOLVED; That the Western Legislative Forestry Task Force endorses Federal legislation which will provide a timber harvest and restoration base in Tongass National Forest sufficient to support the existing industry in Southeast Alaska.

Adopted July 9, 1995 by the Western Legislative Forestry Task Force.

WESTERN LEGISLATIVE FORESTRY TASK FORCE
RESOLUTION 95-2
July 1995

URGES CONTINUED RESEARCH IN GENETICS AND SILVICULTURE AND THE
CONTINUED FUNDING BY THE UNITED STATES CONGRESS.

WHEREAS; There is less land available for Multiple Use Forest Management than ever before caused by single focus management; and

WHEREAS; Because of Federal over regulation the supply of fiber has been greatly reduced; and

WHEREAS; Research needs to be continued to increase the productivity of forest lands because of the reduced supply of fiber available for harvest; and

WHEREAS; The United States Forest Service has supported this research in the past and has an even greater responsibility now because federal actions have caused the reduction of the harvest of fiber; and

WHEREAS; The Pacific Northwest Research Station has seen more and more of its funds allocated to ecosystem research and therefore less to increasing forest productivity; and

WHEREAS; the Genetics Team at Corvallis, Oregon and the Silviculture Team at Olympia, Washington have done this crucial research in the past and have seen their funds reduced or remain uncertain.

NOW THEREFORE BE IT RESOLVED; That the United States Congress earmark one million dollars (\$1,000,000.00) for the Genetics Team and one million dollars (\$1,000,000.00) for the Silviculture Team per year in the Federal Budget for research in tree growth and forest productivity, and

BE IT FURTHER RESOLVED; That the United States Congress review all United States Forest Service research to ensure the funds for longstanding tree growth and forest production projects be provided for adequately.

Adopted July 9, 1995 by the Western Legislative Forestry Task Force.

WESTERN LEGISLATIVE FORESTRY TASK FORCE
RESOLUTION 95-3

July 1995

URGES THE PRESIDENT OF THE UNITED STATES TO DECLARE FOREST HEALTH
CRISIS IN THE WEST, IMPLEMENT IMMEDIATE SALVAGE SALES, AND RESPOND
TO THE WESTERN LEGISLATIVE FORESTRY TASK FORCE.

WHEREAS; 1994 was the latest in a series of catastrophic forest fire seasons in the West, and millions of acres were burned; and

WHEREAS; the severity of these fires are the result of prolonged drought and deteriorating forest health conditions and these conditions still exist over very large areas threatening lives, property and the jobs of residents of timber dependent communities; and

WHEREAS; soil erosion, mudslides, wildlife and fish habitat loss, and other damages will leave an unforgotten legacy for years to come; and

WHEREAS; the costs and risks of inaction are greater than the costs of remedial actions and environmental damage much greater than on managed land the United States Forest Service controls; and

WHEREAS; millions of acres of dead and dying trees have been left in the wake of the 1994 fire season and leaving these areas untreated will only exacerbate the spread of insect infestations and disease, and increase the risk of future catastrophic fires; and

WHEREAS; billions of dollars of timber has burned and will have no value if not salvaged expeditiously, compounding the cost and difficulty of providing long term solutions; and

WHEREAS; the prompt salvage of burned and dead and dying trees will help mitigate these dangerous conditions, improve future forest health, and provide economic resources to affected communities;

NOW THEREFORE BE IT RESOLVED; that the Western Legislative Forestry Task Force is petitioning the President of the United States to declare a state of forest health crisis in the West and instruct the Secretaries of Agriculture and Interior to expedite salvage sales of the fire dead and damaged trees to mitigate dangerous conditions and improve the future forest health in these affected areas; and

BE IT FURTHER RESOLVED; that the Western Legislative Forestry Task Force is requesting a response to this urgent resolution by August 1, 1995 outlining a scheduled program for addressing and implementing these emergency needs.

Adopted July 9, 1995 by the Western Legislative Forestry Task Force.

WESTERN LEGISLATIVE FORESTRY TASK FORCE
RESOLUTION 95-4
July 1995

Resolution of support for the Wheelabrator Environmental Systems, Inc. Forest Thinning/Biomass Power Generation Demonstration Project

WHEREAS; The public forests of the inland west are characterized by overstocked, dead and dying stands at high risk of loss due to catastrophic fire; and

WHEREAS; Despite the efforts of State and Federal land management agencies the acres burned are increasing annually and the forest health crisis is accelerating; and

WHEREAS; Wheelabrator has submitted a demonstration proposal to the United States Forest Service, Bonneville Power Administration, and the United States Department of Energy; and

WHEREAS; Such proposal would demonstrate on Forest Service lands forest management techniques proven for the past ten (10) years in California and shown to dramatically improve forest health and lower fire potential; and

WHEREAS; The Western Legislative Forestry Task Force has been briefed on such proposal and has witnessed forest sites treated with such thinning techniques:

NOW THEREFORE BE IT RESOLVED; That the Western Legislative Forestry Task Force has agreed that such a demonstration project is a potentially valuable tool for demonstrating techniques that enhance and protect the public forests of the inland west; and

BE IT FURTHER RESOLVED; The Western Legislative Forestry Task Force strongly urges the United States Forest Service, Bonneville Power Administration, and the United States Department of Energy to participate in such demonstration project and to do so on a schedule that will cause this demonstration project to proceed immediately.

Adopted July 9, 1995 by the Western Legislative Forestry Task Force.

Western Legislative Forestry Task Force

RESOLUTION 94-1

URGES THE ADMINISTRATION TO ESTABLISH AN INTERIM TIMBER SALES PROGRAM FOR THE NEXT 3 YEARS TO ENHANCE THE REGIONAL ECONOMY.

WHEREAS, court imposed injunctions and the threat of lawsuits have virtually frozen all timber sales on federal forests in western portions of Oregon and Washington and in northern California since 1990; and

WHEREAS, this shutdown of the federal timber sales program has caused and continues to cause immense hardship for thousands of timber workers and their families and dozens of timber dependent communities throughout the region; and

WHEREAS, the federal timber sales gridlock continues into 1994 despite assurances accompanying the administration forest plan of a resumption of sales in 1993; and

WHEREAS, Option 9, however well intentioned, remains stalled by lawsuits; and

WHEREAS, even when the current injunction is lifted when the Record of Decision on Option 9 is signed and submitted to the court, subsequent litigation is certain and new injunctions a strong possibility; and

WHEREAS, the administration has acknowledged that funding shortfalls will delay implementation of Option 9; and

WHEREAS, due to the procedural constraints of Federal environmental laws (ESA, Section 7 consultation procedures, etc), very little federal timber could be released for sale this year, even in the absence of additional litigation; and

WHEREAS, even Section 318 timber sales mandated by Congress and salvage sales provided for by Congress are still held up by Federal Agencies; and

NOW THEREFORE BE IT RESOLVED, to avoid additional suffering and continued deterioration of the regional economy, the Administration should use its capability to immediately implement the harvest of section 318 sales volume and salvage sales already authorized by Congressional action; and

BE IT FURTHER RESOLVED, the Administration should take the initiative to direct the establishment of an interim timber sales program and forest health management program for the region for each of the next three years in order to give the government time to test the environmental theories underlying the Option 9 approach to determine clearly what works and what is necessary for the future.

Passed and adopted by the Western Legislative Forestry Task Force at its regular meeting in Washington D. C. on April 23, 1994.

Senator Joan Dukes, Chair

Upon Adoption, this resolution is to be distributed to the Chief of the United States Forest Service, the Secretary of Interior, the Secretary of Agriculture, the Director of the U. S. Fish and Wildlife Service and the Western Governors.

Western Legislative Forestry Task Force

Resolution 94-2

WHEREAS, the United States Constitution prohibits the taking of private property without due process and just compensation; and

WHEREAS, the "4D rule", even with proposed modifications, provides for federal restrictions on private land to provide for specified endangered species; and

WHEREAS, Option 9 has provided adequate species protection on federal land; and

WHEREAS, Wetlands regulations as applied in the Clean Water Act can significantly affect forest management; and

NOW THEREFORE BE IT RESOLVED, that Congress either remove the private property habitat restriction as provided for in the current "Endangered Species Act" and the "Clean Water Act", or provide for compensation pursuant to the rights of eminent domain.

Passed and adopted by the Western Legislative Forestry Task Force at its regular meeting in Washington D. C. on April 23, 1994.

Senator Joan Dukes, Chair

Upon adoption, this resolution is to be distributed to the various Congressional delegations, the United States Forest Service, the Department of Interior, the Department of Agriculture, and the Western Governors.

Western Legislative Forestry Task Force
Resolution 94-4

Urges the President of the United States, along with the Governors of the Western States to declare a state of forest health emergency in the West.

WHEREAS, 1994 was the latest in a series of catastrophic forest fire seasons in the West, and 2.9 million acres were burned, and the lives of 25 courageous firefighters were lost;

WHEREAS, the severity of these fires are the result of prolonged drought and deteriorating forest health conditions and these conditions still exist over very large areas threatening lives, property and the jobs of residents of timber dependent communities;

WHEREAS, soil erosion, mudslides, wildlife and fish habitat loss, and other damages will leave an unforgettable legacy for years to come;

WHEREAS, enormous wildfires awaiting ignition on public lands of the West can no longer be seen as uncontrollable acts of nature;

WHEREAS, the costs and risks of inaction are greater than the costs of remedial actions;

WHEREAS, millions acres of dead and dying trees have been left in the wake of the 1994 fire season and leaving these areas untreated will only exacerbate the spread of insect infestations and disease, and increase the risk of future catastrophic fires;

WHEREAS, billions of dollars of timber is burned and will have no value if not salvaged quickly, compounding the cost and difficulty of providing long term solutions;

WHEREAS, the prompt salvage of dead and dying trees will help mitigate these dangerous conditions, improve future forest health, and provide economic resources to affected communities;

NOW THEREFORE BE IT RESOLVED, that the Western Governors join the Western Legislative Forestry Task Force in petitioning the President of the United States, in declaring a state of forest health emergency in the West, and instruct the Secretaries of Agriculture and Interior to expedite salvage sales of dead and dying trees to mitigate dangerous condition, and improve future forest health in these affected areas; and

BE IT FURTHER RESOLVED, that the Western Governors join the Western Legislative Forestry Task Force in requesting a response to this resolution by January 1, 1995, outlining a scheduled program for addressing and implementing these emergency needs.

Senator Joan Dukes, Chair

Passed and adopted by the Western Legislative Forestry Task Force at its regular meeting in Colville, Washington, on September 11, 1994.

Idaho Montana Wyoming Oregon Washington Alberta British Columbia

Alliance for the Wild Rockies

x 8731 Missoula, Montana 59807 • 406-721-5420

1714 Heron Street Boise, Idaho 83702 • 208-386-9014



To: Timber Salvage Task Force
From: Don Smith, Alliance for the Wild Rockies
Date: October 4, 1995

Dear Members of Congress:

I wish to express my appreciation in having the opportunity to submit this testimony before the Congressional Resource Committee's Timber Salvage Task Force.

I live in Boise where I am employed by the Alliance for the Wild Rockies as its Idaho Field Representative. The Alliance is a regional organization with a membership of nearly six thousand. We have hundreds of member businesses throughout the region and are actively pursuing solutions to the problems facing the region's natural resource economy. We support logging, where it makes environmental and economic sense, on our national forests.

I have a masters degree in Political Science from Sangamon State University in Springfield, Illinois. I received my undergraduate from the University of Montana in 1980. I have been employed in the public interest sector for nearly my entire adult life. My academic and job experience has provided me with research skills that I have applied to my study of the timber industry and land management in Idaho.

As Idaho Field Representative for the Alliance, I have extensive public involvement in the issues surrounding salvage logging. As a result of these and other factors, I consider myself qualified to present my views regarding the economics of salvage logging in Idaho.

• • •

The primary rationale given by the timber industry, Forest Service and Congress to justify salvage logging is that burned, diseased and infected trees will rot and its commercial value lost unless logged.

Results from the Boise River fire salvage sale — the largest sale currently in the nation and the largest in Idaho history — demonstrate the fallacy of this economic rationale. Given the economic results from this sale, as well as others,

it is now apparent that salvage logging is largely an economic drain on our nations treasury.

Recently, U.S. District Judge Edward J. Lodge denied a lawsuit challenging the Boise River fire salvage sale, saying "that if the project were delayed, even for one summer, merchantable timber would lose between 20 percent and 80 percent of its value." An analysis of this sale, relying on Boise National Forest figures, indicates that it will result in an estimated deficit of \$50 million.

The Boise National Forest originally projected, in its Record of Decision, that the Boise River fire salvage sale would "generate approximately \$65 million dollars of receipts to the federal government ... " With the great majority of the volume of this sale auctioned off, we now know that the Forest Service will generate less than half this amount, resulting in an estimated \$32 million in receipts. In all, six attempts to sale units of this salvage project received no bids. Five of these sales were re-sold at a reduced price. Having overestimated its gross receipts from this sale, costs will greatly exceed the sale revenues, resulting in a net loss of roughly \$30 million. (See attachments.)

In addition, the volume to be cut from this sale has also declined considerably. Instead of selling 263 million board feet as planned, the market was only able to absorb 185 million board feet, (this includes the 165 million board feet sold thus far and the remaining 20 million planned to be sold.)

In essence, the burned trees have more economic value left standing than if logged. I believe it is thus imperative that the economic rationale for salvage logging be thoroughly re-assessed by your Task Force.

• • •

It is my understanding that one overriding premise of the Timber Salvage Task Force is that timber is in short supply, and that greatly increased salvage logging levels must be attained to met this shortage.

Information provided by government and industry sources indicates that such a shortage does not exist. I quote from an industry newsletter: "As lumber prices have eroded, a consensus has developed that there is simply too much production chasing too few orders." *Random Lengths*, May 12, 1995. In short, the market is now glutted with timber. Be reminded that supply fuels demand. Currently the demand is down, relative to the supply.

Furthermore, timber harvest volumes on Idaho's national forests have remained steady for over ten years. From 1979-1995, the timber cut on the Boise National Forests averaged 101.3 million board feet yearly. From 1992 to 1995 it averaged 111.3 million board feet. According to industry sources, the volume of timber harvested from Idaho's ten national forests consistently hovered around

675 million board feet from 1984 to 1993. An increase in harvest levels is in the pipeline for 1995.

Any notion that timber harvest levels in Idaho are below historic levels is simply inaccurate. The push to increase salvage logging only exacerbates the negative consequences of excessive logging.

* * *

Another assumption held by many in Congress is that the timber industry is facing serious economic decline. However, in reality, the timber industry in the Northwest is setting sales and profit records.

Combined profits rose 43% in 1994, while employment held steady, according to an analysis performed by the Portland Oregonian. Boise Cascade and Potlatch have reported record quarterly earnings in 1995.

However, while the large firms in the timber industry are doing quite well, other smaller operations are facing extreme difficulties. Several mills in Idaho have closed this year. These include the Boise Cascade mill in Council, and family owned mills in Salmon and Bonners Ferry. In addition, other mills, like the one in Plumner, were bought out by a large timber company.

The trend within the timber industry is towards consolidation. The large companies have the advantage of diversified product lines, spread across the country as well as in other countries. The small mills that depend on one commodity such as raw logs have neither the capital resources or alternative production options to successfully compete with the big companies.

While smaller timber companies face serious obstacles, overall the industry is profiting.

* * *

I also understand that some members of the Congressional Resources Committee believe that jobs in the regional timber industry are being lost, due to a lack of access to timber. The facts, however, indicate otherwise.

Figures from the Idaho Employment Department show that jobs in the timber industry have increased in recent years. From January 1993 to May 1995 timber related jobs in Idaho have increased by 483, to a total of 16,500 jobs.

In reality, timber employment in Idaho remains steady, despite claims to the contrary.

Evidence also indicates that the timber industry and the extraction industry in general are no longer the significant aspect of Idaho's economy that it once was.

According to the US Department of Commerce, timber related jobs in Idaho represent only 4% of the personal income in Idaho, while timber related jobs, along with agriculture and fishing, represent only 1.4% of Idaho's gross state product. In the final analysis, it would appear that salvage logging policies coming out of Washington are pitting one economy in Idaho against another.

A concrete example of the economic realities in Idaho are evident in the Lewiston-Clarkston Valley. Here job growth, according to the Idaho Employment Department, totaled 900 in 1994. Yet this growth occurred in the same year that the Potlatch Corporation in Lewiston cut about 160 jobs from its payroll, as a result of its "modernization of its pulp and paper mill." (Lewiston Morning Tribune, March 1993)

Given that the timber industry plays a relatively minor role in the overall economy of Idaho, it is especially disconcerting that Idaho's national forests have, over the last three years, operated at a deficit. According to a very recent study by the General Accounting Office, Idaho's ten national forests have run up a deficit of over \$95 million from 1992 through 1994. In essence, as the industry now stands, it is more a drain on the regional economy than a benefit. What we are witnessing is nothing short of corporate welfare, in which the large timber companies are being subsidized by the taxpayer.

Conclusion:

Ironically, members of the Timber Supply Task Force are pushing public land management policies that favor the large firm at the expense of the small company and the communities that rely on them. Supporting rural communities that rely on timber harvests is crucial to the economic diversity of Idaho. But this support must come in the form of stable and diversified economic measures. Rather than favoring the small, rural mills and loggers, Congress instead favors high capital intensive logging operations, subsidized by the taxpayer, relying on outdated and unsustainable logging practices that strengthen boom and bust forestry practices of the past.

Furthermore, Congress' attempt to micro-manage our national forests by legislating volume harvest is contrary to the public interest. Sustainable and stable economies must not be hampered by policies emanating from the federal government, as is too often the case in rural areas that depend on viable natural resource development.

In sum, I urge members of the Timber Salvage Task Force to re-evaluate the following premises on which it so enthusiastically justifies salvage logging: 1)

That supply of timber is low; 2) That jobs in the timber industry are declining in the Pacific Northwest and Intermountain region; and 3) That the timber industry is suffering economic hardships.

In the final analysis, no matter how much some members of Congress may wish to force an increase in salvage logging on our national forests, market conditions remain the final arbiter. In some cases companies simply refuse to purchase salvage sales, driving prices down, at below-costs. Policies coming out of Washington should not perpetuate corporate welfare but should instead be of benefit to people and our environment. Salvage logging, based on the three premises outlined in the above paragraph, does neither.

3245 Lloyd Bowen Road, St. Leonard Md, 20685-2411

410-586-1767, September 13, 1992

Cong. Sid Yates:

This responds to your request for a summary of the Boise River Fire Salvage Sale Record. It shows why the entire program will cost the Treasury millions, rather than producing the huge profits its proponents claim.

This compares the March 17 The Boise National Forest "Decision" (ROD) with their press releases and what happened as 18 sales were offered:

	March 17 F.S. ROD	F.S. P/R #1 July 23	F.S. P/R #2 Aug. 31	The Record Sept. 7
Gross Receipts	\$65,000,000	\$40,000,000	\$35,000,000	\$29,513,000
Est. Sale Costs	\$ 1,800,000	\$ 1,800,000	\$ 1,800,000	\$ 1,800,000
Est. K.V. Fund	\$13,500,000	\$14,500,000	\$14,500,000	\$ 8,300,000
Salvage Fund	\$ 0	\$20,000,000	\$20,000,000	\$20,000,000
25% Payment	\$16,250,000	\$10,000,000	\$ 8,750,000	\$ 7,378,000
Total Cost	\$31,550,000	\$46,300,000	\$45,050,000	\$37,478,000
Cash Prof/Loss	+\$33,450,000	-6,300,000	-\$10,050,000	-\$7,965,000
Vol to Sell MBF	236,000,000	215,000,000	actual to date	165,400,000
Balance to Sell in 2 No-Bid Sales			MBF	15,000,000
Likely Sale Total			MBF	180,400,000

The probable sale volume will be 75% of the planned volume. The average bid price, \$178.43/MBF is 35%. almost -\$100/MBF below the projected \$275.42 per MBF bid value. Five sales were "no-bid", only 3 sales had bid raises. The total average price, for all practical purposes is the same as the bid price. Two "no-bid's" remain to be reoffered.

K.V. collections are \$6,200,000 under the original estimate, which would have reforested only 18,600 acres of the 77,500 acres burned. Another \$24 million may be needed to properly regenerate the all of the burned lands that will be logged. This enlarges the projected -\$8,000,000 receipt-cost deficit. The Boise's sale planning and administration costs look low. Some sales that were to be helicopter logged were switched to tractor logging. This will create more soil damage and add to site restoration costs.

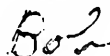
The Boise Salvage program is typical. Glowing estimates of receipts, and low estimates of cost are followed by the stark reality of financial losses.

I've attached tables which summarize information to date but don't run the cost estimates which are in this letter.

Sincerely,

Robert E. Wolf

Enc. 3 Boise Salvage tables
[yates1.doc]



Honec River Fire Sales Through Sept. 10, 1995
10 Sales Sold First Time Plus 5 Roffers.

Sale Volume Likely to be 25% less than ROD Estimate.

Gross Receipts Likely To be \$31 Million, 53% Less than Forecast
Sale and Re-generation Costs Were Underestimated.

	SALE MHP	Sale Acres	Harvest Acres	Pred. Price Dollars	Per MHP	Appraised & Hyd Price In Dollars	per MHP	% Bid Is Below Predict'd Price	% of Overbid
NP Rabbit	11,000	4,944	4,873	\$2,808,080	\$255.28	\$2,333,161	\$212.11	-17%	0%
Gr. Creek	19,300	8,960	8,776	\$5,032,668	\$260.76	\$4,200,720	\$217.65	-17%	0%
Sec. Creek	11,600	6,493	5,509	\$2,808,940	\$242.15	\$2,297,513	\$198.06	-18%	0%
Fier Dam	1,000	1,592	1,568	\$1,214,012	\$261.92	\$1,017,867	\$221.28	-16%	0%
Blind Camp	17,000	7,075	5,961	\$4,137,460	\$243.38	\$3,393,451	\$199.61	-18%	0%
Baincock	2,000	805	500	\$734,290	\$367.14	\$658,826	\$329.41	-10%	0%
Gr. River	21,500	10,189	8,188	\$5,456,740	\$244.60	\$4,443,740	\$202.91	-17%	0%
Bear Creek	20,500	6,824	5,927	\$4,700,855	\$229.31	\$3,842,315	\$187.43	-18%	0%
Wren II	25,700	5,462	5,462	\$1,974,915	\$465.95	\$3,230,605	\$125.70	-73%	0%
Silver Horns	7,800	3,709	3,166	\$892,632	\$114.41	\$636,480	\$81.60	-29%	0%
Subtotal	141,400	56,053	50,910	\$39,660,602	\$280.19	\$26,054,678	\$184.26	-34%	0%
Steam Hunter	9,000	7,315	6,391	\$1,168,290	\$123.81	\$982,732	\$109.19	-16%	\$1,168,290 \$129.81 0%

3 "No-Bid" Roffers Plus Steam Hunter

Original Offers were "NO BID"

	SALE MHP	Sale Acres	Revised Harvest Acres	Pred. Price Dollars	Per MHP	Revised Appr. Price Dollars	Per MHP	% less th Predicted	Actual Bid Price Dollars	Bid per MHP	% Bid Is Below Predict'd Price
Rig Owl Red'd	4,000	6,533	4,678	\$1,185,200	\$296.30	\$1,104,195	\$276.05	-7%	\$1,280,000	\$320.00	8%
Middle Fork	7,000	23,000	4,750	\$656,050	\$90.87	\$503,335	\$71.91	-21%	\$528,400	\$75.49	-17%
Grand Loe Red'd	1,000	6,188	4,366	\$111,200	\$102.80	\$32,873	\$32.22	-18%	\$481,468	\$120.37	17%
SubTot Bid Up	15,000	35,721	13,794	\$2,232,450	\$148.93	\$1,940,393	\$128.36	0%	\$2,289,888	\$152.66	3%
Tot to Sept. 7	165,400	99,089	71,095	\$43,061,382	\$260.35	\$28,977,803	\$175.20	-30%	\$29,512,836	\$178.43	-31%

Still No Bid

Cottonwood	12,000	7,000	3,980	\$1,841,280	\$153.44	\$1,382,768	\$115.23	-25%	No Bid		
Steep Cr. Red'd	3,000	3,772	3,293	\$592,710	\$197.57	\$299,992	\$96.66	0%	No Bid		
Still No Bid	15,000	10,772	7,273	\$2,433,990	\$0.00	\$1,672,760	\$111.52	-31%	No Bid		
New Sale Total	180,400	109,861	78,368	\$45,495,372	\$0.00	\$30,650,563	\$169.90	-31%	\$31,185,596 Likely Gross Receipts		

Robert E. Wolf Sept. 8, 1995

PAGE 2 of 4



INLAND EMPIRE PUBLIC LANDS COUNCIL

a non-profit forest conservation organization

Forest Watch Program

**TESTIMONY OF
BARRY ROSENBERG
DIRECTOR, FOREST WATCH PROGRAM
INLAND EMPIRE PUBLIC LANDS COUNCIL**

ON

ISSUES RELATED TO TIMBER SALVAGE


before the

**TIMBER SALVAGE TASK FORCE
HOUSE OF REPRESENTATIVES
COMMITTEE ON RESOURCES**

OCTOBER 6, 1995

**ELKS LODGE
LEWISTON, IDAHO**

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Mr. Chairman and Distinguished Members,

I am Barry Rosenberg, Director of the Inland Empire Public Lands Council's (Council) Forest Watch Program, a program that trains concerned citizens in basic forest assessment, environmental law, and the appeals process. The Forest Watch Program monitors Forest Service (FS) activities on 30 ranger districts on 10 national forests in northern Idaho, western Montana, eastern Washington and eastern Oregon. I am also on the board of the Selkirk-Priest Basin Association of Priest Lake, Idaho.

I have lived for 20 years on a remote piece of land near Priest Lake in north Idaho. Prior to my employment with the Council, I worked for 12 years as a logger and a reforestation contractor. I feel I am qualified to discuss the salvage and the "logging without laws" rider to the Rescissions bill, having spent most of the last 14 years monitoring Forest Service activities, writing or participating in appeals of illegal and destructive timber sales, and working to help bring democracy to the National Forests.

I first became interested in the appeals process when the Forest Service proposed and then implemented a timber sale that muddied my sole source of domestic water and the Forest Service assured me that any degradation would be temporary—it has been eight years and my drinking water is still sullied and has shown no improvement.

Congresswoman Chenoweth, I agree with you, I believe there is a conspiracy afoot, only it does not involve black helicopters. It is a deliberate plan to ultimately give corporate interests even greater control over public lands by limiting public oversight. The salvage rider on the Rescissions bill does just that. It removes the only effective impediment to corporate control of the national forests. It removes environmental laws, prohibits the appeals process, and makes it almost impossible to challenge a timber sale in the courts. This law undermines the very essence of democracy. It denies the owners of the forest the right to determine what happens on their own land.

Congresswoman Chenoweth stated in an interview published in the July 10, 1995 issue of the *New Yorker* magazine that "We're fighting for our freedoms and our liberties, and our way of life." Is it ironic or just calculating that those who make the loudest noise for individual freedoms are those who are dismantling the democratic process and moving this country closer to corporate control?

Congresswoman Chenoweth also stated that "We have democracy when the government is afraid of the people." In fact, the Congresswoman and many other members who share her agenda are actually attempting to make the people afraid of the government. That fear is made palatable through the illusion that many laws need to be removed because they compromise individual freedom, when in reality the reverse is true. The removal of these laws further empowers transnational corporations at the expense of the individual. This is what is happening as a result of the salvage rider to the Rescissions bill.

This strategy is being coupled with a massive propaganda campaign by transnational timber corporations. They are attempting to convince the public that they are the "real" environmentalists. As Derrick Jensen, a Spokane, Washington author said in an article for the *Inlander* (4/5/95): "Before you can commit mass destruction, you must convince yourself and others that your activity isn't destructive but beneficial. You must have a 'claim to virtue'. This was true of crusades, who pillaged their way across southern Europe to reclaim the holy lands...It's true today of timber corporations, the Forest Service and politicians, who, under the guise of "forest health" want to continue overcutting the National Forests."

Fortunately the American Public is having a hard time believing the beneficence of timber corporations when viewing the huge Plum Creek clearcuts as they drive across Snoqualmie Pass, or like the citizens in Boise, they are appalled by Boise Cascade's 7,000-acre clearcut fire salvage on Idaho state lands. Boise Cascade took everything, leaving hardly any large wood behind to replenish the denuded ground. The multibillion-dollar timber corporations are spending millions of dollars to combat the truth, but fortunately, stumps don't lie.

There are moves afoot to turn national forest land over to the States. In Idaho, the laws governing state lands are extraordinarily weak compared to Federal laws. For instance, there is no appeals process in Idaho, and in fact Idaho law forbids public challenge of state Land Board timber sale decisions. Turning public lands over to a state with such poor protections of citizens' rights would be like *permanently* extending the provisions of the "logging without laws" section of the Rescissions bill.

I used to believe that the Forest Service was totally responsible for the loss of fisheries, clean water, wildlife habitat, and recreation opportunities on our national forests. Although it cannot be absolved from the responsibility of creating degradation, the Forest Service was not alone. Forest Service employees have always told me that Congress "made them do it". Pressure from Congress has forced them to break the laws in place to protect the public's forests. It is a sad state of affairs when people are forced into breaking the law, muddying our streams and killing fish, ruining the forest soil and wildlife habitat in order to keep their jobs.

The watershed conditions map before you shows some results of this pressure. According to the Idaho Panhandle National Forests, (IPNF) the red indicates a stream system out of dynamic equilibrium, or where geomorphic thresholds have been exceeded. These streams are, in Forest Service jargon, "management constrained". A more truthful way to say this is "severely damaged." Many will take hundreds of years to recover, if they ever do. The yellow portions of the map indicate that the stream system is stressed. The green displays watersheds that still have integrity. Most of these green watersheds are in roadless condition, and/or have been only lightly logged. This is a draft version produced by the Idaho Panhandle National Forests (IPNF). The final version is essentially the same, except that the Forest Service did not like the color scheme of the draft map, so they printed the final version in various shades of green.

Influence by politicians beholden to corporate interests, like that demonstrated in the Rescissions bill is largely responsible for the disastrous management policies on the public's forests. The *Spokesman-Review*, a conservative newspaper in Spokane, Washington agrees. In an editorial published on 11/28/93 the paper discusses the state of the Forest Service:

"The U.S. Forest Service, which he [Pinchot] founded, has degenerated into a tool for the logging industry. Over the years, powerful senators and congressmen browbeat local forest managers into swallowing conscience and regurgitating logs.

"The logging companies appreciated the profits. County governments appreciated their cut of the timber sale revenue. Constituents appreciated the jobs. The politicians appreciated Big Timber's campaign contributions.

What a system.

What a mess.

What a betrayal of the public interest and of Pinchot's legacy."

One obvious example of this abuse is former Senator James McLure of Idaho. His meddling in the forest planning process overrode the recommendations of Forest Service officials regarding the numbers of trees that could be cut from our forest and still comply with the laws. These imposed increases resulted in so much damage to the forest that it significantly constrained future logging activities. The former Senator is well-insulated from the burdens this brought to timber-dependent communities and the people who hunt, fish and use the forest for solace and recreation. He was rewarded for his efforts with a seat on the board of Boise Cascade.

The "logging without laws" rider removes the public's right to use the administrative appeals process to challenge timber sales. The government's own Office of Technology Assessment made it clear that the appeals process is a responsible means of pointing out problems with the management of our national forests and that the process has *not* been abused. The Forest Service agrees. According to Andy Mason, Assistant Forest Supervisor for the Colville National Forest in eastern Washington: "The appeals we are seeing—I have to compliment Barry and the groups—the recent appeals are very well thought-out. The people have been out on the ground; they know these areas. In fact, we are learning things from people that are out on the ground." (*Spokane This Week*, 5/6/94). Why abandon the appeals process and laws in place to protect our national forests if they are a good vehicle for public redress?

The timber corporations, who have overcut their own land, want the trees growing on public land. Beginning in the 1980's the public finally grasped the enormity of the damage done to their national forests and began successfully appealing illegal and destructive timber sales. The timber corporations realized they were in trouble and came up with the bogus concept of "forest health", sold it to politicians and molded it into a campaign which resulted in the "logging without laws" rider.

And what can the public expect when they are locked out of their lands? Huge destructive clearcuts in the name of "fire salvage" logging. The photograph before you is part of the 4th of July Fire Salvage Timber Sales on the Three Rivers Ranger District, Kootenai National Forest in Troy, Montana. These sales were exempted from appeal. This is a preview of coming attractions. The Three Rivers Ranger District plans to cut more than 66 million board feet of fire-damaged timber in a similar fashion from an additional 4,270 burned over acres, some of which are in roadless areas.

The Colville National Forest plans to log the Copper Butte Fire, much of it also in a roadless area, even though they say: "The Copper Butte fire has done an excellent job of providing sites for the establishment of young trees... Overall the fire had a positive effect on forest health... Salvage of dead trees does little to improve stand health and vigor". The Colville is having a problem; it cannot sell the sale even though it reduced the price to a giveaway minimum bid of \$41.00/thousand board feet. Boise Cascade has run an advertising campaign declaring "what a waste" not to log these burned over forests--yet they failed to show up for the offering of Copper Butte at taxpayer-subsidized, fire sale prices. The timber corporations are holding the government - and the public - hostage.

Congresswoman Chenoweth in her interview with the *New Yorker* stated "We're fighting for our culture." I respectfully ask the honorable member of Congress what kind of culture is she promoting by her support of the "logging without laws" rider? Is it the culture of clearcutting as depicted in this photo? Is it the culture of pollution caused by the mining industry in her own state of Idaho? A recent edition of the *Spokesman-Review* described how cutthroat trout died after spending two days in a tank of water drawn from the South Fork of the Coeur d'Alene River. Is it this culture of lost and diminished native fisheries throughout Idaho that she describes? Or is it the culture that makes Idaho unique in the lower 48 states? A state that still offers a rich heritage of wildlife, wild lands, and wild waters?

I would hope Congresswoman Chenoweth would opt for the latter, and after hearing the testimony of this panel, realize that we can never maintain Idaho's heritage through implementation of "logging without laws". It is our hope that she will place her support behind a bill that will soon be introduced into Congress to repeal section 2001 of Public Law 104-19.

Forest Health and salvage logging are a hoax and the implementation of Public Law 104-19 is a tragedy.

TESTIMONY OF MIKE MEDBERRY
BEFORE THE U.S. HOUSE OF REPRESENTATIVES COMMITTEE ON RESOURCES
TIMBER SALVAGE TASK FORCE
OCTOBER 6, 1995

Mr. Chairman and members of the Task Force, my name is Mike Medberry. I am speaking for French Creek, though I am a board member of the Western Ancient Forest Campaign and a 20 year student of public land policy. Thank you for inviting me to testify about salvage logging under the rider passed as part of this year's rescissions bill.

As you know, the rider aims to expedite salvage and green timber sales under Option 9 and Section 318, of 1990 Appropriations legislation. This law is not only about salvage logging but also requires green tree logging to go forward expeditiously under old, sometimes obsolete, timber contracts in Oregon and Washington. This is simply inappropriate and will result in environmentally damaging logging. In Idaho the law applies to salvage logging, so that is what I will focus upon.

The logging-without-laws rider is a draconian, meat-cleaver approach to public policy because it restricts judicial review, virtually eliminates public input into this aspect of public land policy, negates laws intended to protect the environment from damaging logging practices, and encourages subsidized offerings of publicly owned timber. Whenever I read that a piece of legislation will go forward "notwithstanding any other provision of law," I recognize that I am dealing with ham-fisted public policy. There is no subtlety here. With this rider, Congress intended to clear every hurdle to providing cheap timber to the timber industry as quickly as possible. Nothing more.

This dandy new law defines a standard of legal review that requires proof of "arbitrary and capricious" violations of law before a timber sale will be sidetracked. As if that harsh standard weren't enough, the rider also casts aside the very laws to which the standard would apply. It is a cynical and nefarious wording intended to foreclose any challenge to even the most impetuous industry-inspired logging proposals. Simply stated, the logging-without-laws rider is terrible public policy.

The real incentive in this legislation is for the Forest Service to offer timber as fast as possible and to call everything salvage, whether the trees are dead or not. The law defines salvageable timber as including trees "affected by fire or imminently susceptible to fire or insect attack" That potentially includes every tree in the forest. Trees are, after all, made of wood, and wood is imminently susceptible to burning. There is absurdity here, you must admit.

Salvage logging on the Boise National Forest is moving at a lickety-split pace despite it's not falling under the purview of the rider. Already, the Boise National Forest has offered approximately 215 million board feet of timber this year, far more than twice the Forest's allowable sale quantity of 85 million board feet. So far, about 165 million board feet of that timber offered has sold, including four re-offered timber sales. Most of these sales have gone for close to the minimum acceptable bid and two remain unsold, which indicates a tightening of the market. To suggest, as some members of Congress have done, that timber supply is limiting production is ludicrous. The Boise National Forest has sold 817 million board feet since 1990, most of it fire salvage volume, while its forest plan projected sales of 510 million board feet in that time. No one could have projected such a massive windfall to the timber industry in 1990. And remember, forest plans offered inflated projections of what timber was likely to be available assuming environmental laws were followed.

Several recent Idaho state salvage timber sales were not initially bid upon, and on the Payette National Forest one of two freshly offered timber sales did not sell. Creators of the logging-without-laws rider failed to consider market forces which have depressed the timber market, partially because it is glutted with salvage timber. Congress may have directed the Forest Service to sell off our forests at fire sale prices but they forgot that controlling the economy is out of their control and that free enterprise is calling the shots.

The most egregious policy problems created by the logging-without-laws rider is best shown by example. My example is the proposed French Creek timber sale on the Payette National Forest. This timber sale is proposed in the Main Salmon EIS which is expected out any day now. I know the French Creek country quite well and have walked through the

timber sale areas seven times since the drainage burned last summer.

At the insistence of members of Congress, the Payette hastened salvage logging plans in the French Creek area before the agency had good on-the-ground information about tree mortality. The fire perimeter, along with very accurate fire intensities had been mapped by the end of last year, but much forest within the fire perimeter remained unburned and the Forest Service inaccurately projected tree mortality. So, when Congress insisted that the Forest Service tell them how much could be logged, the agency grossly overestimated the volume of dead trees that were out there. For the French Creek sale, the agency projected in excess of 7 million board feet of timber and a total of 46 million board feet for the five timber sales that are part of the Main Salmon post-fire project draft Environmental Impact Statement.

The more refined Forest Service sale appraisal cruising data from September 20 of this year identifies fewer than 2.2 million board feet of actually dead trees within the French Creek sale area. Even this projection, however, is subject to a 30% sampling error. From my extensive investigations of the area, it is clear that most of the economically valuable old Ponderosa pine and Douglas fir trees in the sale area were not killed by the fire. This was, and remains, a classic example of a healthy mixed conifer forest. Moreover, the trees that were killed were mostly low economic value scrawny pines, fir, and larch, certainly trees that do not justify the helicopter logging proposed. This is a timber sale which has little economic value and which probably will not be bid upon even if it is actually offered. I hope that it is not offered at all.

In contrast to the low economic timber values of the French Creek salvage sale, are the high biological values and strong public support for the area to remain wild. These very tangible public values have been undermined absolutely by the logging-without-laws rider. This is indefensible. The 160,000 French Creek/Patrick Butte roadless area is well loved for hunting, fishing, and hiking; it provides habitat, migration corridors, and refuge for wolverine, moose, elk, deer, cougar, bear, bull trout, salmon, steelhead, and other animals, and is home for at least one endemic plant. French Creek is a wild and scenic river candidate. Its pine forests are beautiful. This is a healthy forest, yet nothing stops the

chainsaw.

The case for leaving French Creek alone is compelling, and it has implications for salvage logging everywhere on public lands. It is sensible for Congress to urge the Forest Service to take the time needed to do an assessment accurately and wisely before throwing away taxpayer money, logging a beautiful place, and raising false economic expectations. When logging volumes drive the process, environmental laws and public opinion are ignored, and Congress trumps policy and land-use decisions through the budget process, nothing good can result. The timber industry continues to receive a windfall from salvage logging proposals at the expense of the environment.

It would also be wiser for the Forest Service to offer smaller timber sales now since its sale administrative costs have been reduced by the rider. Offering sales at or below 1 million board feet would allow the small volume loggers and house log mills to purchase logs that they cannot now afford. While the big companies are awash in timber, the little guys who log on a more sustainable basis, like Log Products Company in McCall, are going out of business for lack of materials. This is absurd and unnecessary.

When it comes to defining a policy to address "forest health" concerns, please take a broad view of the affected landscape by realizing that a forest is more than timber on the stump and health is more than logging. Take time to think this through and don't repeat the public policy mistakes of the logging-without-laws rider. Bring people into the process rather than excluding us. Avoid making substantive decisions through obscure budgetary processes. Please stop fostering the anger, the vindictiveness, and the hyperbole which is tearing apart Idaho communities. And please avoid burdening us with more lawless policies which are diminishing our natural legacy.

Thank you for providing this opportunity to testify before the Task Force. I am willing to address any questions you may have about my testimony.

STATEMENT OF
DALE N. BOSWORTH, REGIONAL FORESTER
INTERMOUNTAIN REGION, FOREST SERVICE
UNITED STATES DEPARTMENT OF AGRICULTURE

Before the
Committee on Resources
United States House of Representatives

Concerning Agency Performance in
Processing Timber Salvage Using Section 2001 of Public Law 104-19
Emergency Appropriations and Funding Rescissions Act

Lewiston, Idaho
October 6, 1995

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

Thank you for the opportunity to discuss how the Forest Service, in cooperation with other agencies and with particular reference to the Northern and Intermountain Regions of the Forest Service, is implementing the timber-related activities authorized in Public Law 104-19. I am accompanied by John Hughes, Deputy Regional Forester of the Northern Region in Missoula, Montana; Dave Rittenhouse, Forest Supervisor of the Boise National Forest; Phil Jahn, Acting Forest Supervisor of the Nez Perce National Forest; James Caswell, Forest Supervisor of the Clearwater National Forest and David Alexander, Forest Supervisor of the Payette National Forest. The President has directed the Departments of Agriculture, Commerce, Interior, and the Environmental Protection Agency (EPA) to implement this law in a way that, to the maximum extent allowed, follows our current environmental laws and

programs. I am submitting for the record the directive from the President regarding the implementation of the timber-related provisions to Public Law 104-19.

Background

The Clinton Administration was moving aggressively on timber salvage before enactment of Public Law 104-19. In direct response to the concerns emanating from the wildfires of the 1994 season, regions were already pursuing timber salvage as a part of the restoration effort for the areas affected by the fires.

In February of 1995, Under Secretary Lyons directed Chief Thomas to convene an interagency team to develop, identify, and resolve possible impediments to the timely release of timber salvage sales. Participants included Bureau of Land Management (BLM) Director Mike Dombeck, National Marine Fisheries Service (NMFS) Assistant Administrator Rollie Schmitten, and representatives of the US Fish and Wildlife Service (FWS) and EPA. As a result of that meeting, a Memorandum of Understanding (MOU) was signed March 8, 1995. The intent of this new process was to complete the consultation requirements of the Endangered Species Act (ESA) within the time frames for project planning under the National Environmental Policy Act (NEPA). As a result of this MOU, the agencies have been working together in multi-level interagency teams from the beginning of the analysis process in the Columbia

River Basin. This has reduced the number of timber sales requiring formal consultations. As a result, we expect the backlog of sales in consultation to be eliminated.

Now I would like to talk about how the Administration is implementing the timber salvage provisions of Public Law 104-19 and the actions we have taken thus far.

Implementing Public Law 104-19

We are moving forward very quickly to implement the timber-related provisions of this Act as directed by the President and Secretary Glickman. August 9, 1995, the Forest Service, BLM, FWS, NMFS, and EPA entered into a national Memorandum of Agreement (MOA), which explicitly outlines the new streamlining procedures, coordination, and collaborative actions that are being followed. I am submitting the MOA to the Committee as part of the record.

The MOA reaffirms the commitment of the agencies to continue their compliance with the requirements of existing environmental law while carrying out the objectives of the timber salvage related activities authorized by Public Law 104-19. The agreement builds upon on-going efforts to streamline procedures for environmental analysis and interagency consultation included in interagency agreements of March 8, 1995 and May 31, 1995. The MOA also reaffirms the joint responsibility of the agencies to achieve to

the maximum extent feasible, a timber salvage sale volume level above the programmed level in accordance with Public Law 104-19, within a framework of maintaining forest health and ecosystem management. This is accomplished through adhering to the standards and guidelines in applicable Forest Land Management Plans and their amendments.

The Boise, Kootenai and Payette National Forests have been impacted by large fires and insect epidemics in recent years. In southern Utah on the Dixie National Forest there has been an outbreak of spruce bark beetle in an area near a National Monument, resort, and numerous private inholdings. Timber salvage harvesting has been utilized as one of the management tools to deal with all these situations. Expedited procedures have been instituted to accomplish timber salvage work in a timely manner.

A national strategy has been developed which incorporates special teams organized to quickly move forward on timber salvage activities at the Washington Office and Regional Office levels.

Both the Intermountain and Northern Regions have chartered interdisciplinary teams earlier this year to develop a process for expediting timber salvage in response to the Administration's MOU on consultation. When PL 104-19 was passed and the implementing MOA was signed, the teams were able to quickly review the new direction, distribute it to the Forests, and they continue to assist in its implementation.

Both Regions are working with computerized mapping systems (Geographic Information Systems, GIS) to graphically display and track timber salvage sales programs and their location in relation to environmentally sensitive areas. Providing this type of information to EPA, FWS, and NMFS has streamlined communications, review, and analysis. A decision was recently announced to move forward on the Thunderbolt timber salvage sale in Idaho. Our streamlined consultation and analysis procedures have allowed us to move forward on this project in a timely manner. Attached is a copy of the directive which went forward from the Chief to the Region.

A monitoring system is in place which tracks accomplishments in preparing and selling timber salvage as well as the effects of these sales on environmental quality.

PL 104-19 provides relief from law and regulation regarding procedural requirements for personnel hiring and contracting. Where it is needed, I have been directed by the Chief to pursue this authority to supplement the current work force, on a temporary basis, to increase the agency's capacity to prepare timber sales.

Intended Results

Timber volume figures projected for the program are 4.5 billion board feet for the Forest Service. This figure may go up or down due to factors such as the ability to acquire the needed work force, market fluctuations, loss of over half the 1995 field season, deterioration of dead timber, verification of volume estimates from actual on-the-ground measurements, weather conditions, fires, or unexpected ground conditions.

We have seen some reduction in demand for timber salvage. In some locations sales offered have received no bids. In such cases, sales are usually reworked to increase their marketability. Successful examples of this can be found on the Boise National Forest where previously unbid sales have been reworked and sold.

As required by law, the United States Department of Agriculture and the Department of the Interior have just reported to Congress per the specifications of this Act, detailed information concerning the implementation of section 2001. The Forest Service submitted the report September 1.

We can now report that nation-wide we anticipate exceeding our programmed level of timber salvage offer by 135 million board feet for FY 1995 as well as meet our total timber salvage volume goal, for the period of the rescission, of 4.5 billion board feet (+ or - 25% due to the uncertainties mentioned above.)

We are involving the public early in each planning process so that there is an opportunity for them to provide input to timber sales and become involved in monitoring our performance. Our goal is to maintain and promote good working relationships with other Federal, Tribal, and State and local government entities. We are also building and maintaining public trust while implementing this law.

This completes my testimony. I would be happy to answer any questions you may have.

SALVAGE TIMBER AND FOREST HEALTH

SATURDAY, OCTOBER 21, 1995

HOUSE OF REPRESENTATIVES, TASK FORCE ON SALVAGE
TIMBER AND FOREST HEALTH, COMMITTEE ON RE-
SOURCES,

Redding, CA.

The Task Force met, pursuant to call, at 1:05 p.m., in the Theater Room, Convention Center, 700 Auditorium, Redding, California, Hon. Wes Cooley (Chairman of the Task Force) presiding.

STATEMENT OF WES COOLEY, A U.S. REPRESENTATIVE FROM OREGON; AND CHAIRMAN, TASK FORCE ON SALVAGE TIMBER AND FOREST HEALTH

Mr. COOLEY. I call the Task Force on Salvage to order. I am Congressman Wes Cooley. I chair the House Resources Committee's Task Force on Salvage Timber and Forest Health. I represent Southern and Eastern Oregon, which like this area, contains massive volumes of dead and dying timber that are not being harvested in a timely manner.

My constituents are outraged how the Federal Government can allow such an important resource to be wasted at the same time mills are closing at a record pace throughout the west and Oregon as well.

Two other task force members joining us; Congressman George Radanovich is not here yet and neither is Helen Chenoweth. They are coming in and they are still catching flights coming in. But also we have Mr. Jim Longley with us, as well.

George's district is located in the South Sierra and has been victimized by small sawmill closures caused by massive reductions of timber available from national forests.

Jim Longley is from the state of Maine which is ninety percent forested and has less than one percent of its land base in Federal ownership. He knows first-hand how multiple use management is working on private forests in his state. The forest service would be well-served to learn some management lessons from private timberland owners in Maine and other states.

Finally, we have two Congressman with us who are not on the task force, but are very interested in these issues. Your Congressman, Wally Herger, lobbied very hard for today's hearing to take place in Redding. He is second to none in Congress in his aggressiveness and his dedication to improving the lot of timber dependent communities. Without the help of him and his hard-working staff, today's hearing would not be possible and was well organized.

We are also pleased to be joined by Congressman Frank Riggs. Frank represents the coastal district in our west that includes timber rich counties such as Humboldt and Del Norte. As a Member of the Appropriations Committee, he helped shepherd the new timber salvage law through that important committee.

It is our second task force hearing. We plan to have another one, a field hearing in November in Medford on the fourth, which is in my district. And I encourage you if you have an opportunity to take the few mile drive up there to see what is happening in Eastern/Western Oregon.

Everyone on our task force is for sensible environmental laws to protect our Federal forests. After four million acres of Federal forests burned in 1994, it became apparent that the old laws for timber salvage were not working. As a result, we passed a new law to expedite timber salvage. And that turned into Public Law 104-19.

We want to hear from today's witnesses how this law is working. We will take your experiences back to Washington and share them with our colleagues. And we will make changes to the law if it is necessary in order to make sure that it works.

I also want to tell some people here to understand what is happening in this process. We are taking testimony not only on just forest salvage, but we have been taking testimony on the Endangered Species Act and other legislation that is pending in the United States for the betterment and improvement of our environment and a true management of our natural resources.

And we are finding out things that are very, very distressing to Congress. Don Young is the Chairman of the Resource Committee of the United States Congress, and he is so upset by what is happening in this process that he put out an announcement last week.

I want to read part of this announcement so—it is not happening today but on November the fourth, we will invoke, everyone will be under oath to Congress and will be subject to contempt to Congress of any statements that are not true or verifiable.

We are having public officials, people, members of legislatures coming before Congress and absolutely out and out telling untruths. And we have to turn this around. It is becoming epidemic. And to close out his statement, he says here in his last paragraph:

"I am seriously considering issuing a subpoena on a member of one of the agencies in order to get him to redress these issues under oath. This appears to be our only recourse in getting the Department of Interior to truthfully address our legislation."

And this is just symptomatic of what is going on. But I want to tell people here that in the future that everyone is going to be put under oath. Because what is happening is that some of the things are being said in these hearings are not absolutely true, in fact, they are out and out falsehood.

And people who attend these hearings, as well as Congress reading your testimony, are finding it very, very difficult now in order to come to some sound resolution.

I want to welcome Mrs. Chenoweth from Idaho. She made it in here on her own and had to fly in and we appreciate you coming along. By the way, Mrs. Chenoweth is Vice-Chair of this Committee

and is also very, very concerned with the timber salvage issues and other issues that face the west.

Mr. COOLEY. I would like to turn this over now to your Congressional Representative, Wally Herger, for his opening statement. Wally.

STATEMENT OF WALLY HERGER, A U.S. REPRESENTATIVE FROM CALIFORNIA

Mr. HERGER. Thank you, Mr. Chairman. On behalf of our Redding community and Northern California, we extend a warm welcome to you and to the members of the Timber Salvage Task Force. I thank you, Chairman Cooley for your tremendous personal efforts in bringing this hearing to Redding. You have been a great friend and ally and a driving force behind passage of the emergency salvage law that we will discuss today.

I can assure you that there are many here who greatly appreciate your efforts. I also thank the other members of the Salvage Task Force who are in attendance. These members have made significant personal sacrifices to join us. I thank my good friend Helen Chenoweth who joins us from Idaho and who has been a vigorous forestry advocate in her own state.

I welcome my good colleague, Congressman Jim Longley, who joins us all the way from Maine. I welcome my good friends, Congressmen Frank Riggs and George Radanovich, both Californians and strong advocates of forest health, who will be joining us later this afternoon.

I would also like to recognize a number of our state officials who have also been strong supporters of forest health through the years. We have our distinguished California Secretary of State, my good long-time friend from my state assembly days, Bill Jones, in attendance. We also have Senator Maurice Johannessenn, Assemblyman Bernie Richter and Assemblyman Tom Woods.

Lastly, I would like to thank the panelists who have taken the time to testify today, many of whom are from our Congressional District. We appreciate your willingness to participate today.

Mr. Chairman and members, we have a crisis in our forests. Last year in California alone wildfires consumed over 500,000 acres of state, public and private forest land. In 1988, in this very Congressional District, wildfires burned through 33,000 acres in the Grass Valley area destroying 312 homes and structures. And then just three years ago in this very county, just to the east of us, the Fountain Fire incinerated 64,000 acres in just 36 hours destroying nearly 300 homes. And yet, we have some in our midst who would actually say we have no forest health crisis.

Catastrophic wildfires burn at an enormous cost to our forests, our taxpayers, and our nation's fire fighters. Just last year in 1994, taxpayers paid nearly \$1 billion to fight wildfires. Even more tragically, 33 brave fire fighters lost their lives battling the flames. Fourteen of these were killed in one fire alone in Colorado.

The imminent devastation that faces our forests and everything around them is due to an unprecedented buildup of dead and dying trees and other natural fuels. Right now we have over 21 billion board feet of dead and dying timber nationwide—enough to build 2 million homes.

We have a choice to make. We can either aggressively manage our forests to remove the dead and dying trees or we can do nothing and watch them rot, die and ultimately burn to the ground. I, like many here today, believe that the latter option is a senseless waste of one of our country's most valuable natural resources. It is also a tragic waste of our human resources.

In recent years, 281 mills have closed in 12 western states due to the drastically decreased timber harvesting. 29 of these have been in our own Congressional District. That is why I am such a strong proponent of the emergency timber salvage law that is the subject of this hearing.

I would like to make two important points about this salvage legislation. First, this is an emergency law of an 18 month limited duration. It is designed to take the administrative handcuffs of the Forest Service so that the agency can respond quickly to the crisis at hand.

Let me emphasize. Congress expects the Forest Service to fully comply with the law and to use the discretion we have given them to begin to improve forest conditions. The overriding purpose of this hearing today is to determine if the Forest Service is doing this.

The question we are asking today is not whether we should proceed with timber salvage. Congress has already answered that question. Rather, we are asking the question, are we proceeding vigorously enough?

Second, I want to emphasize that this salvage law, by itself, is not going to solve our forest health crisis. However, it is a vital first step to resolving a problem that has been over a century in the making. I fully intend to work with my colleagues on the task force to craft comprehensive long-term forest health legislation. The information we gather through hearings such as this is part of that process.

Let me conclude, Mr. Chairman, by underscoring that the status quo is not an option. If we fail to manage our forests, then wildfire will—and we will lose them for ourselves and for future generations to come.

Thank you, Mr. Chairman.

Mr. COOLEY. Thank you, Mr. Herger. Any other opening statements? Thank you very much. I want to make it official for the record so everybody will understand. You will have five minutes of testimony. The green light will be your start. The yellow light will be one minute and the red light will mean you are finished.

Even though you might not be able to enter all of your testimony verbally, it will go into the record—your written testimony. And then also anybody in the audience that wants to make any comments, the record will be open for ten days and you will be able to make any additional comments within the ten day period before we shut down.

I want to call up the first panel, please. Mrs. Smith, Brown, Albrecht, Taff. I think we will just start off from left to right. Mr. Taff, do you want to go first, please?

STATEMENT OF MIKE TAFF, UNITED PAPERWORKERS INTERNATIONAL UNION, LOCAL NO. 1101, ANDERSON, CALIFORNIA

Mr. TAFF. I would like to thank the Chairman and the members of the task force and the House Resources Committee for allowing me the opportunity to speak in regard to the timber salvage and forest health. I also want to recognize Congressman Herger who represents my district.

I appear before you today on behalf of the 250,000 members of the United Paperworks International Union, including my 450 brothers and sisters of UPIU Local No. 1101 in Anderson. And I appear before you today on behalf of all of the rest of the coworkers at Simpson Paper Company where I have worked for the past 30 years. I currently work at Simpson as a lab technician and I am secretary/treasurer of the local.

I am here today because I am concerned about our forests, our jobs and our communities. Recent harvest restrictions have prevented forest products workers from conducting proper forest management activities that could improve forest health. These same harvest restrictions have resulted in a timber supply crisis that has caused mill closures and job losses. This, in turn, forces a crisis into local economies of timber-dependent communities throughout the nation.

In Anderson and some of the surrounding counties, the timber supply crisis has forced the closure of several mills. The Simpson pulp mill in Humboldt closed in 1991. The Roseburg Lumber Company closed its two sawmills in my town, including one right next to my house, and they have been demolishing them for the past several months.

A few years ago Simpson was also forced to shut down our pulp mill and one of our paper machines for almost a year and a half. The mill has been reopened, but the machine restarted but neither are back to 100 percent operation.

These lumber and paper mill closures put a lot of people out of work, including friends of mine. I have not seen some of them since they lost their jobs. Some have moved away in search of other employment. Others are just sitting at home while their spouse supports the family.

These are experienced, proud, highly skilled men and women who are used to receiving family wages and solid benefits and are not unable to find jobs that pay more than minimum wage. Some are second or third generation pulp and paper workers who were hoping to pass their legacy on to their children.

A few days ago I took my car to a local dealership for repairs. As part of their courtesy service, they offered me a ride home. The gentleman who drove the shuttle van was a former timber worker who had to accept this job in order to pay the bills. I can only imagine that his salary and benefits were not nearly what they were in the timber job. He is hoping that Federal legislation will enable him to regain his employment with the forest products industry.

When President Clinton signed the emergency timber salvage legislation this summer, we thought the administration finally was providing some relief to the timber supply crisis. Some estimate that the provision would create almost 22,000 jobs nationwide. The President's actions provided a sense of hope and excitement to the

tens of thousands of union wood, paper and pulp workers across the country who have lost their jobs or are threatened with job loss. Much to our disappointment, however, very little action has been taken to implement the bill.

Meanwhile, the health of our forests is deteriorating more and more each day because of lack of adequate forest management. If forest products workers are allowed to conduct salvage logging in areas that need it the most, we can protect forest health by reducing the amount of dead, dying and diseased timber that acts as kindling during wildfires.

This removal process will also decrease the amount of insect infestation that eventually spreads to the healthy trees. If done in a timely manner, this timber can retain its commercial value and be used for milling, thus protecting wood, pulp and paper jobs.

Mr. Chairman, it is time to end the partisan sniping. It is time to get down to business. For forest health and economic stability, salvage logging makes perfect sense. I am a pulp mill worker, not a biologist or an economist. I might not know the specifics of environmental assessments or economic impact statements, but I do know that by clearing dead and diseased timber, the environment can be improved and jobs can be saved. That is the bottom line. We must work together to reach a balance between environmental interests and the social and economic needs of people in communities.

I hope that you will go back to Washington, D.C. and work with the Forest Service to implement salvage sales so we can improve the health of our national treasures and provide jobs for the people who rely on timber resources for their livelihoods.

Thank you.

Mr. COOLEY. Thank you, Mr. Taff.

Ms. Smith.

STATEMENT OF JOAN SMITH, EXECUTIVE DIRECTOR, KLAMATH ALLIANCE FOR RESOURCES AND ENVIRONMENT

Ms. SMITH. Thank you, Mr. Chairman. My name is Joan Smith and I am the Executive Director of a small non-profit organization called the Klamath Alliance for Resources and Environment. And we would like to say thank you and welcome to Northern California. We would like to thank all of you and welcome you here, Mr. Chairman and Mr. Herger, we really appreciate all of your hard work on behalf of the small timber-dependent communities.

We have really been suffering out here and we appreciate the fact that you have taken our cries seriously and you are trying to help us. Hopefully you will be able to do that.

I have been a grassroots activist for many years and I am here today in support of the emergency salvage bill, P.L. 104-19. I feel it is a good law that addresses real problems that we experience in our forests and in our forest-dependent communities.

Two and a half years ago, in April of 1993, President Clinton held his forest conference in Portland. And he promised relief to our depressed forest-dependent communities. Those of us who attended that conference, those of us who were outside attending our own forest families conference, were given great hope by the President at that time.

He promised relief for our long suffering communities. But unfortunately the President did not deliver on that promise. Our communities are still suffering and some of them, such as Happy Camp, California, in the community that I live in, Siskiyou County, have all but died. The only large business in that town was a mill, Stone Forest Industries.

Last September, Stone closed its doors and laid off all their employees. This removed an annual payroll of \$240,000 and \$14 million in annual payments to loggers, truckers, suppliers, machine shops and local businesses. Happy Camp is a town of 2,000 people. That town died, businesses closed, and Happy Camp is virtually a ghost town.

I do not want to see this repeated throughout our region. Especially when it is completely unnecessary. You have to picture Happy Camp. It is a small community. It is 68 miles down a winding river and a forest completely surrounded by public lands, Federal timber land containing millions of board feet of dead and dying timber, but only 1 million board feet of timber has been sold this year. Two million feet were put up, but only one was sold because only one was economical and this was in a Happy Camp district.

In 1989, Siskiyou County employed approximately 951 loggers. In 1995, we only have 331 loggers remaining in our county. This means we have lost 65 percent of the loggers in Siskiyou County over the past six years. In 1989, 10 percent of Siskiyou jobs were related to the timber industry. It is now only five percent. We have lost half of our high-paying manufacturing jobs due to mill closures resulting from reductions in Forest Service timber sales.

Many of my friends are out of work. They had new hope when Congress responded to the will of the people by passing the emergency salvage bill. Now there is hope, but there is great frustration because the Forest Service has not been able to respond to the intent of Congress.

It has been three months now and the Klamath National Forest where I live has only offered 13 million board feet of timber for sale under the salvage bill. While this sounds like a lot, eight million board feet received no bidders due to over estimated volume, expensive requirements of helicopter logging of small, scattered trees, or just plain rotten trees due to being hung up in the process too long.

This leaves only five million board feet of timber sold. And this is only enough volume to run one of Siskiyou County's four mills for only five weeks.

To make matters worse, over half of the salvage sales being offered or planned on the Klamath National Forest require helicopter logging. There are no helicopter logging companies in Siskiyou County. Thus, helicopter sales do not benefit our small independent loggers. The Forest Service should increase the amount of conventional tractor and yarder logging to put our local loggers back to work and help our people.

The problem in our forests is not too few trees, it is a matter of too many trees. Our forests are dying because they need to be thinned and the dead and dying trees need to be removed to leave room for the healthy trees to grow into the forests of tomorrow. We

can have sustainable forests and we can have sustainable communities, but not if we neglect them.

Thank you.

[The table submitted by Ms. Smith may be found at end of hearing.]

Mr. COOLEY. Thank you very much.

Ms. Brown.

STATEMENT OF MELINDA BROWN, CO-CHAIR, SHASTA TEHAMA BIOREGION COUNCIL

Ms. BROWN. First I would like to clarify I am here on behalf of the Shasta-Tehama Bioregional Council as your cover sheet says and not Shasta-2000.

Thank you for arranging your schedules and traveling to Northern California to see how we and our forests differ from our neighboring states. And thank you for moving quickly to try and address the fuel build up in our forests. We see a number of ways in which better results can be obtained.

The Shasta-Tehama Bioregion Council is comprised of members from state and Federal agencies, local government, industry, conservation and environmental organizations, labor, the academic community, economic development and tourism professionals and the general public. We have built bridges of common goals and respect over the last two years and our problem solving abilities are unsurpassed because we are in the blend of policy and management combined with local knowledge.

We all live in the same community and we share common interests. We believe that our economic security is integrated with the health of our natural resources and that local interests have an important and constructive role in decisionmaking on public lands. Using local knowledge of specific conditions combined with the best scientific information, yields the best management decisions and both local and national interests can be achieved.

We recognize the need for forest communities to make a living off the forest while also recognizing the right of the rest of the public to have their interests and the interests of the forest protected. We work on a consensus basis and bring to the table a high degree of experience and understanding because we are the central location for state and Federal agencies. We are home to two flagship timber companies and a biomass plant who are full partners in the process of reinventing approaches to forest management.

One of our main areas of concern is catastrophic wildfire. We believe that the fuel reduction program should be pursued with vigor. The future of the forest is at stake.

We convened a focus group to craft our statement today and that included representatives from the largest private landholder in California, a biomass plant, a former Forest Service employee who is now a GIS specialist, a staff member from our local timber industry lobbying organization and an environmentalist. We came to very early agreement.

If there are truly 10 billion board feet to salvage, there are certainly more than enough areas to keep us busy for years without going into any areas of environmental concern or roadless areas.

There is no justification to do so unless the goal is to increase mistrust and division and lawsuits.

The problem is perspective and prioritization. A couple of day's fire suppression costs can fund a year's worth of fuel reduction programs.

Forest health, resource extraction and salvage sales need to be approached in a comprehensive manner. One contractor removing trees may leave a mess. Another operator's job is to clean it up. Another contract may be for replanting. The problem is that no one is accountable to the other, money is wasted and too often there is not money in the sale for adequate clean up or replanting.

There is not a consistent approach. Some forests are moving aggressively to expedite sales over objections of Bioregion and other environmental groups and some forests are proceeding more cautiously. Yet industry is saying that the Forest Service is moving at a snail's pace in most areas and the value is deteriorating rapidly.

Bioregion and other partnership groups can play an important role here to help guide prioritization of the areas to be cut. We should move ahead on areas that are not contentious. The Forest Service knows where these areas are and they do not need to study the forest to death to find them. There are more than enough work areas to be done that can be agreed on and while working on these areas, trust can be developed to then discuss the other areas.

We wholeheartedly agree with extracting value from salvage areas and reducing fire danger, but not at the extent of damaging the environment.

A lead conservation group says that there is not enough money in some sales to mandate clean-up and still keep the sale attractive to bidders. And industry certainly agrees. No agencies have the funds to do the clean-up either. This would lead us to ask for separate appropriations from Congress to get the job done.

However, our group is convinced that this work can be done and in almost all cases turn a profit. Private landowners do it all the time. The Forest Service needs to follow their example. And not every commodity will individually turn a profit, but the combined resource stream will. Each can fund the other.

Problems with the implementation of the salvage sales include: 1. Roadless areas are included in early sales which are sparking unneeded controversy. 2. No time lines have been set on getting the sales out. 3. The Forest Service is process oriented not outcome oriented. This is very much a mind set and not primarily an organizational barrier. Our group feels that what can be done within the current parameters of the U.S. Forest Service—

How much time do I have?

Mr. COOLEY. One minute when yellow.

Ms. BROWN. We'll see. Adequate personnel is not left that has the overview necessary to do what is necessary for forest health. Many retired out with the golden parachute. And mixed messages are sent to the Forest Service. And Clinton's direction is to not circumvent environmental process. Congress' order is to expedite the sales.

We are convinced that you can have it both ways and that most everyone can get behind the program if everyone works together.

We need to contract for comprehensive services with one contractor. This saves time with less contracts and distinct outcome levels need to be mandated. Local bidders can be given extra points if they agree to hire local people or local subcontracting. This cannot be a requirement or it would become a barrier.

Prioritize areas for sale. Develop a matrix for all the forests to follow. Target first the areas of high fire danger, low environmental sensitivity, proximity to rural roads and interface areas and high resource values. Do not go into roadless areas or areas of environmental concern.

And I think I will leave it with that. Other than, these two charts here show the comprehensive spread, the effect of wildfire in the beneficial sense and in the negative sense. And I would just like to have you understand that there is a positive rule for fire, but when it is a catastrophic wildfire, that is really what the title on this second chart would be, catastrophic wildfire. It is in nobody's best interest.

Thank you.

[The attachments to statement of Ms. Brown may be found at end of hearing.]

Mr. COOLEY. Thank you very much. The next, Albrecht, Mr. Albrecht.

STATEMENT OF MIKE ALBRECHT, REGISTERED PROFESSIONAL FORESTER

Mr. ALBRECHT. Thank you. I would like to begin by pointing out some photos. They are on page three of my testimony. It is in a red folder there.

Dear Mr. Chairman and Honorable Members of this Task Force. My name is Mike Albrecht and I am a registered professional forester in both California and North Carolina. It is my privilege to be here today representing United Forest Families. We are a grass-roots group of working people based in Tuolumne County California. Our families depend on healthy forests allowing us to work, recreate, and renew our spirits.

It truly is an honor to be involved in this process. Our forefathers who guided us through the birth of this great nation must be proud of our resolve. They have watched us build upon the ideals they established with their pens, their swords, and their lives.

Since our declaration of independence, our founding fathers have looked down from above and watched a civil war establish civil rights. They have seen us defend freedom in global conflict. This great nation has conquered disease, we've built super computers, we've built super highways, we've built super domes and for God sakes we've put men on the moon.

Thus I can only imagine the anguish and the hope they must now feel as we grapple with this problem before us today. Because now America is faced with possibly its greatest challenge, namely, how can we cut down dead and dying trees?

Obviously a problem of this magnitude will take your congressional action. The President himself may have to get involved. But as this saga unfolds, let us today commit to a solution with liberty and justice for all.

Mr. Chairman, forgive my satire, but it is meant to give context to our subject today. For the solution is quite simple. After the plethora of meetings and money spent on this subject, it has come down to that infamous phrase, "gentleman, start your chain saws."

It is indeed time to go to work. There is little more to discuss. There is little new information. Quite simply we either have the resolve to begin cutting dead and dying trees or we do not.

Those who have spoken before me, or are waiting after me, may indicate that the problem is complex. In some cases it is. But in many cases, the solutions are so simple that to discuss them further should be an embarrassment.

Let me illustrate with what I view is a simple way to start. Let us first agree that our goal is to harvest some dead and dying timber under Public Law 104-19.

We will next have to agree that dead trees are accurately portrayed in photo number 1. Next, we must agree on the more abstract dying tree, a tree not quite dead, but having a near death experience.

Photos number 2 and number 3 depict trees about to step into the white light. Their crowns have weakened and died back, mainly from mistletoe infestation. Maintaining two to three of these trees per acre will provide valuable wildlife habitat and downed log benefits. The rest should go to the sawmill.

The most significant part of my story is that these pictures were taken from a paved road. If I were allowed to harvest the dying trees in a 200 foot wide corridor along just three miles of that road, it would represent the fifth largest timber sale offered on our National Forest this year.

Mr. Chairman, I will not be allowed to harvest these trees. Instead, a very predictable pattern will unfold. All of us will go to more meetings. In the meantime, our local sawmills will be forced to look to other states and even worse, other nations, for resources. More mills will close, more people will be laid-off.

I would give anything to have Thomas Jefferson or George Washington here to solve this problem. They would have the resolve to fire Jim Lyons and put someone in charge that could inspire the Forest Service.

[Applause.]

Mr. ALBRECHT. They would demand—

Mr. COOLEY. Please, this does not help anything, OK.

Mr. ALBRECHT. They would demand that our tax dollars quit being flushed down the toilet in meetings. They would free you people to work on the real problems that face our country and demand that the professionals you have hired handle minor problems like salvaging timber.

George and Thomas are not here. But their legacy of determination and leadership lives on. They would encourage you to continue passing good laws. I also think they would give you this advise: If the team you have assembled cannot get the job done, find new players.

Thank you.

[The attachments to Mr. Albrecht's statement may be found at end of hearing.]

Mr. COOLEY. I want to thank the panel very much for their testimony and it will be going into the record. We will now have an opportunity for the members of Congress to address individuals using the same time period. And I would like to go my first with my five minutes. Mr. Taff, you said the Simpson Company started again, had a restart. Where did they get their raw materials in order to restart? Do we have something happening that kicked in so they could restart that paper mill?

Mr. TAFF. They are getting most of their chips from small lumber mills. As you know, they do not chip up raw logs. Pulp mills have always used just waste products from lumber mills. And when lumber mills have problems and go down, our supply dwindles.

There is so much pressure right now in California for, or there has been, that we have Washington Mills coming down here and getting chips as far as California.

Mr. COOLEY. So there has been some ability for you to get something to get your mill started again. I am not trying—I am just trying to say—what I am trying to find out is that have we done anything in the area on the public lands in order to help alleviate some of the problems? Since you have had a restart, are we strictly still using private property primarily?

Mr. TAFF. As far as I know it is a private property. And right now we have plenty of chips, but that can change tomorrow just like when we shut down two years ago. The supply dried up, the price shot way beyond what was reasonable.

It puts us—our mills on the west coast are not competitive with the mills in the south who grow their own, for the most part, their own wood just for the pulping operations. We rely strictly on lumber mills.

Mr. COOLEY. OK. Mrs. Brown, have you had an opportunity to read Public Law 104-19, I mean, have you dealt in the law itself? Because in some of your comments I found that—I am not trying to be argumentative here, but if you look at the bill the way it was written and we all participated in that process, there is a replanting process involved and the Secretary has to replant.

There are some other provisions, absolutely, that make sure that we did not inviolate any environmental laws. We expedited the process, but we did not want to violate them. If the extreme preservationists want to criticize Public Law 104-19, in only one place can they justifiably that really and truly in that legislation.

And that is what we are so upset over is because we spent a lot of time, and I mean, literally months, my staff and myself because I was a prime writer of that bill, to make sure that we put a piece of legislation that the President would sign that would truly protect the environment and, yet, allow us to properly manage our natural resources.

So we went through that whole process of trying to write a piece of legislation in cooperation with the environmental community. There is a criticism in that law. If you want to criticize that law, there is a criticism. Once a determination is made, a contract is valid, there is no more appeal process. That is the only valid reason that anybody would consent and justify this law not being implemented.

And that is what is disturbing to us when we look at the MOA's, agreement that has been up by the agencies, we cannot understand what is going on. And that is what we are trying to find out. So, if you would do me a favor, I would really appreciate it if you could look at the law and read it and look at it in the spirit of the way the law was written.

Because that was really our intent. We are good environmentalists. We know that we need to preserve a forest for perpetuity. We know that we need to cut only a sustained yield and a lot of other things. But we also know that good forest management is not doing anything and that is basically what we are doing.

So I think that some of your concerns, and I think they are valid concerns, you ought to look at the law and see how it is written and understand what we tried to do to make sure that both sides had an equal say in the process and both sides would agree that we need to do something with this natural resource that we have that co-benefit not only the U.S. Treasury, but the state communities, counties and people, putting people back to work.

And that was really the intent of the law. And we find it very frustrating now to find out that after all the work we did and all of the hours of debate that it is not being implemented. And I think maybe it is not being implemented sometimes because of lack of information and understanding. And I think that is more than anything.

Mr. Albrecht, and I only have—no, you will get a chance. I only have one minute left and I want to listen to my own rules. I want to tell you that I wish Jefferson was here. I totally agree. I am not sorry about George, but I know about Jefferson. I am a history buff on Jefferson and you are right.

Mr. ALBRECHT. He cut down the cherry tree.

Mr. COOLEY. Well, I am not sure George did that either, but Jefferson made something move and I think that you are perfectly right and I appreciate your testimony. Thank you very much. Anyone else? Anyone on the panel.

Oh, I want to acknowledge our Congressman Radanovich. I am glad you could make it up here. I appreciate your showing up.

Mr. RADANOVICH. My pleasure, Wes.

Mr. COOLEY. Thank you very much for coming.

Mrs. CHENOWETH. Mike, I really enjoyed your testimony. And I am anxious to hear the phrase, "Gentleman, start your chain saws." I really do appreciate that. Quite simply, I do not think that we should be debating and meeting and holding hearings on the fact that we need to get the dead and dying timber out of the forest.

You know the Forest Management Practices Act requires that. This is extremely good testimony. And I want you to know that we are very well aware of what our job description is. And we are very well aware that if we do not do the job you will find others who will because you know the power is really in your hands.

And I do want to reemphasize the fact that it was Mr. Cooley who put forth the timber salvage provision in Public Law 104-19. And he did a yeoman's job there and I really, really do appreciate him because it is a step toward turning this ship of state around.

I do think that you have made an awfully good point also in the fact that we should not just worry about getting dead and dying timber out. We have to harvest the green timber that is climaxing out and their life span. And our problem is an educational problem.

And I am here to ask questions. But I want you and the grass-roots to know that our problem is an educational problem. Even some of our colleagues on the Republican side back on eastern seaboard think that because Congress can pass a law that—a forest is an ancient forest—that because Congress passed a law the trees will not die then.

And that is just simply not the case. Trees are going to go ahead and die and new trees are going to be born and so forth. But keep it up.

Mr. ALBRECHT. Can I make one response? I want you to know that I appreciate that very much and I want to say that there are some very, very good people within the Forest Service that want to get to work. And there is a very good thing in the California owl report that suggests a way to do this and it is to get private contracts into private citizens hands, private people's hands through the Forest Service.

Privatize some of this effort. Let the Forest Service get the rules and the conditions they want out there, but, heck, we can cruise the timber, we can mark the timber, we can do the archeological studies. Private organizations can do that. And we stand ready to do that if you will fund that kind of an effort whether it be through stewardship or private management contracts.

Mrs. CHENOWETH. You know, I would like to see this Congress deal with the idea of each state setting aside a forest to have an alternative form of management. Whether it be the state or a group of private people coming together. And after a period of time, ten, fifteen, twenty years, then we would look back and see which forest had been managed better.

And if the Forest Service could do a better job, then the alternative managed forest, if it yielded a better watershed, if it yielded a better more healthy sustainable forest, if it yielded better wildlife and endangered species habitat and the whole thing, if that one forest yielded a better result then we would look at transferring the lands to the new management entity.

If it did not yield as well as a Forest Service did, Forest Service results, well then it would automatically go back in the Forest Service hand. And I think the grassroots, I would like to see them think about it and work with us on that.

Mr. Taff, I did want to again say I really appreciate your statements here. And it is very—it hurts when people are thrown out of work and it hurts when we hear our administration say that they can retrain our loggers to be computer operators and bus drivers. I am darn proud of our loggers.

I do not think you could easily change people who have been brought up in the woods and love the land and love the woods. And they not only work in the woods, but they go out and recreate and camp and I really appreciate what you have done.

You did say that the President signed the Emergency Timber Salvage Sale and the President's action provided a lot of hope and excitement. I just wanted you to know that the President tried so

hard to kick Mr. Cooley's bill out of Public 104-19. And then went back and talked to the—I mean mandated that the Forest Service and all of its agencies get into the long protracted environmental process.

That is why Mr. Young responded as he did in hiring the special task force. I am just anxious to see you and your friends have a secure future.

And I sort of agree with Joan and a lot of other women. I have a new bumper sticker in my office and it says: "Hug a logger and you will never go back to a tree." Thank you.

[Applause.]

Mr. TAFF. Thank you very much.

Mr. COOLEY. Mr. Herger.

Mr. HERGER. Thank you very much, Mr. Chairman. Melinda we're going to—would you like to comment?

Mr. COOLEY. You do not have to use up your time. I will let her after—I wanted to use up my time, that is why.

Mr. HERGER. OK, fine. I just want to make sure we get a comment.

Mr. COOLEY. I will ask her to respond.

Mr. HERGER. Thank you. I just want to comment. I think the comment was made by Congresswoman Chenoweth about the comparison of seeing who can manage our forests the best. Well I have been on several over flights of our forests and it is amazing just on one over flight I can think of over in the Klamath.

Flying over it you could literally see the difference. For whatever reason this is, but you could actually see the line of the section, the section that was in private property and the section that is Forest Service, being managed by the Forest Service. The Forest Service you could see where all these dead and dying trees, very unhealthy forests.

And yet in the private sector were these green, beautiful forests. And the difference between the private sector going in, removing, on a regular basis, these dead and dying trees and the beautiful forests that we see and next to it are these insect infested forests where we see normally what would be healthy trees dying.

So I think Congresswoman Chenoweth we can observe that right now. And, again, I believe part of the purpose of this hearing is to bring about the type of wise and prudent management backed by the latest science that we have to see that our forests are managed and managed in a wise way. So, hopefully we will do just what you are saying. And I know with your support, which I know we have, and others, those days hopefully are not that far away where we will actually see this take place.

Joan, if I could ask you to comment if you would. You have been a grassroot activist in your community whether it be on the school with the PTA or in your community for years, I know. And also very active within the timber program also. I would like to know what your opinion is, is the Forest Service doing a better job of harvesting salvaged timber or putting it up today than it was after our legislation, our emergency 18 month duration legislation today than it was, say five years ago?

Ms. SMITH. Congressman Herger, unfortunately no, I do not think that they are. Although I do think that they are trying. They have some very real problems I think within their ranks.

Last year the Forest Service had a RIF, what we call a reduction in force. And they had what they call a buy out. They gave some big money to people to take early retirement. And unfortunately a lot of those people who left were the timber specialists. They called them, I believe, logging systems specialists.

And we have a lot of those types of people in the community that we feel, like Mike said, that we could put to work through contracting, stewardship contracting, something where we could help the Forest Service because they have had such a problem getting this out because of the lack of personnel.

We have people that can do the cruising and the marking. And they have been trained, as Mrs. Chenoweth said, you know, we have a lot of people out there out of work. And they are proud people and they know their jobs. And I think they could help the Forest Service.

Mr. COOLEY. Joan, I am going to interrupt if you do not mind. Mr. HERGER. Sure.

Mr. COOLEY. Joan, in the legislation, in Public Law 104-19, it says that the U.S. Forest has the ability to hire outside specialists to help them if they are lacking in qualified people to make the contracts. It is there. So if that is an excuse that is being used it is not justified because it is in the law. We already took care of that.

So if the people are there, those people are available and they do not have to worry about some of the civil service laws because we exempted those. They have the ability to do that now.

Ms. SMITH. Great.

Mr. COOLEY. Sorry, Mr. Herger.

Mr. HERGER. That is quite all right. And thank you for your comments and your question, Mr. Chairman. And we both know, have been around the Forest Service most of our lives and I would guess that your feeling is the same as mine. Some of the most dedicated professional people that I know work for the Forest Service.

But they literally have had their hands cuffed behind their backs now for a number of years. Again, the purpose of this legislation is to help allow them to move forward in a prudent way. And part of that with the lay-off's and the cut backs that have come to them over the years, again, is to go out and to hopefully allow them to contract out.

And some of these people that are out of work right now—I only have a very short, a couple seconds, but Mike I do not know if you could—the salvage law is designed to remove unnecessary delay in the sales preparation. What do you feel is the greatest cause of delay in your experience?

Mr. ALBRECHT. Well at this point, I agree with Joan, that the specialists that we need to put these sales together are not there. We just have real people problems at the local level. She is right about the reduction in force.

But we also have a lack of resolve, Congressman Herger. And I need to say that. And it is not with the folks at the district level. I would encourage you to look strongly at Jim Lyons and at Jack

Ward Thomas. Jack Ward Thomas was managing about five or six people and now he manages 16 thousand people. And I can tell you as a business man I would not have put somebody like that there.

We need good leadership at the very top with very, very strong direction. And you are not getting that. Because, you know, you are demanding that and you are not getting it.

Mr. HERGER. Thank you. I have to agree with you. My complaint, my major complaints have been over the years with Washington, the direction that we have been getting there, lack thereof. I think that will come out throughout our hearings today. And hopefully we can look for maybe some suggestions when we get around to the Forest Service a little later on.

But I thank you for your comments. Thank you, Mr. Chairman. Mr. COOLEY. Thank you, Mr. Herger. Mr. Longley.

STATEMENT OF JAMES B. LONGLEY, JR., A U.S. REPRESENTATIVE FROM MAINE

Mr. LONGLEY. Thank you, Mr. Chairman. I want to get right down to business. First, I want to, Mr. Taff, just tell you that I had a delegation of paperworkers in my office about ten days ago before I came and I will extend to you the solidarity that the workers in Maine, all 16 thousand of them feel in terms of the concern for what is happening to the pulp and paper workers and the timber workers out here in the west.

I would also like to suggest, humbly, I think, that there may be some significance to the fact that there are five of us here on the panel—Idaho, California, Oregon. And then you have to go about 3,000 miles before you find somebody else that came out to listen to this issue. And I think that is part of the message that I would like to leave with you folks that we have to do a better job of educating people as to the problem you are confronting because it is a serious problem. And, frankly, I am here because I see it as a real threat to the future of my state. The chairman mentioned that we have about 20 million acres of land in the state of Maine and about 19 million of them are trees. And we take a good deal of pride in our heritage, resource-based heritage.

I would like to direct a comment or two and then I have really a statement and I would like to get some response from the panelists. But before I get to that I would like to ask Melinda on the information that you offered. And I would like to suggest that this is probably your Exhibit A, B and C coming from the fuel reduction workshop.

I do not know to what extent you have some independent sources or verification for this information, but it would be, I think, of invaluable public service to the extent that you or your group or others could help organize some of that information in terms of the number of fires, the number of people killed, the number of injuries, the number of acres or timber lost as well as what the overall negative economic impact was.

Because I think that is part of the message that the east needs to hear that this is not people trying to take advantage of Federal lands, this is about managing a resource in the best interest of the community and the country. And the fact that we have lost, according to your numbers, almost 60 lives just in the past six years, to

me is, in and of itself, a compelling argument for the need for aggressive efforts toward fuel reduction and appropriate salvage.

But, again, picking up on that point, and this is my comment in the time that we have, I would like to get any comments that any of you might have. I am looking at the fact, for one thing I am a little bit beside myself that we even need to have this hearing; that Congress has passed a law that was signed by the President; that everyone seemed to agree that this was a serious national urgency; yet, here we are asking why we are not salvaging much of this timber. And I had a chance to see for myself this morning the extent of the waste, the dead and wasted timber, that is just rotting on the stump or laying on the ground because it has not been harvested.

And given the background with the spotted owl and the terrible economic impact that you have suffered because of that, frankly, I have to say to myself what in heck is the Forest Service doing? Now either they have a conscious policy of basically deciding that they are not going to allow harvesting or their own superiors in Washington have so little confidence in their ability to make that kind of a decision, but I have to wonder why we even have them on the payroll.

And so I guess what I would like to say is it is becoming clear to me that there appears to be a policy coming out of Washington that basically says we are not going to harvest timber. Am I overreacting?

[Several no's from the audience.]

Mr. LONGLEY. Any comments from the panel?

Mr. ALBRECHT. I do not think you are overreacting at all, Congressman. And to show you the impact, I just cannot stress this enough. We have a trucking company. We were asked a couple of months ago to pick up some containers in San Francisco. In those containers were logs from New Zealand to run our sawmill in Tuolumne County, California.

The reason I am here is the director of our organization was moved to Colorado to ship logs from Colorado to California. What we are doing is craziness. And, I agree with you. If we do not have the resolve and you folks have hired them, you fund them, year after year, maybe the problem, maybe we are talking to the problem right here.

You folks have got to demand some accountability out of these people you are funding.

Mr. LONGLEY. Melinda, would you like to comment? I am particularly concerned about the statistics on fire and the loss of lives, the injury, the cost. Would that be too much of a problem to help pull more of that information together? Because I know the committee would have a great deal of interest in it.

Ms. BROWN. Our group did not pull this together. It is with the University of California extension, whatever. It is top scientific numbers. So we can do that and maybe cite references.

Mr. LONGLEY. If you could help us pull that together because I think having absolutely unimpeachable documentation is critical on this.

Ms. BROWN. Again, what this chart does for every positive role of fire it is an exact same chart, but turned negative for cata-

strophic wildfire. But it includes the cost of the public from FEMA. I mean it is really this huge, huge, huge impact, area of impact.

So I urge you to look at the chart as well.

Mr. COOLEY. OK. Any other comment in the time we have?

Mrs. CHENOWETH. I just wanted to comment a little bit about what you had said earlier about the intent of the Forest Service. No laws have changed since 1976 regarding the management of the Forest Service. However, the interpretation of the law seems to have changed because of environmental lawsuits.

Now you have good people in the Forest Service who want to do their job and manage the forest. And then you have, we seem to have new age Forest Service personnel who have a different agenda.

Mr. LONGLEY. Thank you. I know my time is expired.

Mr. COOLEY. Thank you. George.

Mr. RADANOVICH. Yes, thanks Wes. I just had one brief question. Melinda, your report I thought was, I enjoyed the overall approach that you were taking with regard to forest issues. I just wanted to pull out one of those problems that you identified.

And that is with the limitations of Forest Service personnel and the fact that some of the seniors are retired out with golden parachute and that there are many specialists left with separate and maybe individual focuses and not enough overall oversight, I suppose.

The question that I want to ask you is that in this process, have you noticed a trend on Forest Service personnel and the fact that some of them have left and new personnel have come in. Has there been kind of a conversion of what you might call a conservationist mentality in that process to a preservationist mentality in the Forest Service personnel?

Ms. BROWN. No, I would not say so. That comment came out of our group and it was really referring to the wildlife biologists or—if you have to do an archeological study where there is not likely any areas of importance, they felt that if there was more of a boss behind it to just say we need to pull together and protect the forest, as you have done with this legislation.

But the overriding concern is the salvage area. And so, no, it is not preservationist at all, I would not say so. But it is not harness together. That was the main point of that.

Mr. RADANOVICH. I would be curious to know what your opinion is on something. I mean there has been talk that BLM, the Bureau of Land Management, is actually doing the job that the Forest Service was doing 20 years ago. And, frankly, there was talk of doing away with the Forest Service and giving it all to the BLM because they are more inclined to be conservationist in their approach to the management of forests than what has been perceived, I guess, in my view, as an increase in this preservationist attitude in the Forest Service. But you do not see that, say, within the last 20 years?

Ms. BROWN. I do not have an opinion on that, really. I am sure many in our group would and, in fact, we will take that and we will write you a letter back with that and answer it, thank you.

Mr. RADANOVICH. No, I am supposed to say that. All right, thank you very much.

Mr. COOLEY. Thank you, George. Melinda, I cut you off because of my time period. But I would like to allow you to say whatever you were going to say.

Ms. BROWN. Thank you. It is real quick. Other than we were focused on solutions. And I contacted, as I said, a lead conservation group and they said the intent of the law is good in that we want to have replanting and you have provided for that.

But unfortunately, you are asking about the implementation. The implementation is, and everybody was agreeing, that you cannot make a sale or most sales attractive enough on the open market to allow for that. So the problem is the sales are not happening.

So if we can come up with a better way to make it more attractive economically, then everybody wins. So the problem was not that the law did not accommodate for it, but that the sale—there would be no bidder on it. So this is a way to try increase the number of the sales and have everybody be the winner.

Mr. COOLEY. Thank you. Let me make a little comment on that. As the dead and dying or the burnt stand longer, the value drops. We all know that. And so a lot of this we are looking at catch up instead of up front.

We were hoping that the Forest Service would be active, proactive, and say if we do not clean out the dead and dying, even though it might be neutral or below cost, what is it going to cost us if it starts on fire? And that is what we were hoping would be the outcome of this.

We realize we in Congress and the people who do the numbers game, the General Accounting Office, that there are going to be some below costs sales, primarily because we did not move fast enough. We are hopeful that we can do a little catch up here and have the Forest Service move ahead instead of waiting two or three years when the half, more than half the value is gone from the trees because of the deterioration.

We were hoping also when they start doing this evaluation as far as the costs are concern and the bid price, that they would realize that if we can clean out the dead and dying, take care of the burn, and replant that if you balance out the cost of it, what does it cost us in, not only lives, but what does it cost in money and everything else, environmental pollution from burns, that this would be an offsetting factor.

And we were hoping that would occur. Maybe we did not write the language more detailed enough, but we were hoping that that would be taken into consideration and that obviously it is not. I mean, I cannot believe it is not because to me that is part of good management, but it did not happen.

So that is one of the reasons we are going through this process now. And everybody can say why are we having this? We are having this because what we are finding out is nothing is happening. It is still status quo and that is why we are here. To get the input from the people who are on the ground. To go back and send a strong message to the agencies through Congress that we mandated this as a law.

We make the laws. We want them followed.

Mr. LONGLEY. I would like to ask unanimous consent to just ask one follow up question.

Mr. COOLEY. Yes, Congressman.

Mr. LONGLEY. Ms. Smith, you started to say that you felt there was a change in attitude in the Forest Service. You specifically used the term new age. Could you elaborate on what you mean by that?

Ms. SMITH. I believe that Congressman Radanovich had talked about, a little bit about, conservationism and preservationism. And it appears that the attitude within the Forest Service, and I think Melinda addressed it a little bit, too, has shifted.

The managers of the forest, previously, were people who worked toward the health of the forest and they managed it as the Forest Service was mandated to do way back in 18—let us see, I do not have it here—when Gifford Pinchow was first involved in it. It was a concert to conserve the forest and provide the products to the people of the United States.

That was part of the original efforts in mandating the Forest Service. However, we have seen a shift in the purpose of the Forest Service and the employees of the Forest Service.

Now we have people within the Forest Service, as I said, who want to do their job and they want to take care of the forest and cut their—harvest the dead trees and do exactly what you are asking them to do. And then you have other people in the Forest Service in the new age.

It appears to be almost like a religion. It is almost like a worship of the creation rather than the creator. And we all have a real concern about that. And unfortunately, I think that there is a lot of good people in the Forest Service, but I believe that there is a lot of these new age type people who are undermining the efforts of the agency.

Mr. LONGLEY. Thank you.

Mr. COOLEY. Thank you very much. Thank you, our first panel, you are excused. I would like to call up the second panel now. Frank Losekoot, Joseph Bower, Felice Pace, Milton Schultz and Jim Ostrowski.

Mr. COOLEY. You are first up, Frank.

STATEMENT OF FRANK LOSEKOOT, FORESTER WITH HI-RIDGE LUMBER COMPANY

Mr. LOSEKOOT. Thank you, Mr. Chairman, and other members of the task force. I thank you for coming to Redding today.

My name is Frank Losekoot. I am a forester with Hi-Ridge Lumber Company in Yreka, California. I have submitted written testimony to you, but I would like to divert from that and use as my testimony an example of a salvage sale that my company purchased and relate that as a success story that has occurred.

This sale was prepared prior to passage of Public Law 104-19. And I do not use it as an example to indicate that there are salvage sales being sold in abundance. I use it more as an example to show you that the economics of salvaged timber sales can work and that benefits can be gained from it.

One important aspect of this Soap Helicopter Salvage Timber Sale which I want to relate to you is that in the preparation of the timber sale the Siskiyou Roundtable was involved in the planning and preparation of the sale. The Siskiyou Roundtable is a local

group comprised of some timber industry folks, some environmental folks, civic leaders, also, in fact, two other members of this panel are on the Siskiyou Roundtable including Hi-Ridge Lumber.

And I have some statistics that I want to relay to you, so bear with me if you will. Hi-Ridge Lumber Company was the successful bidder on the Soap Sale on August 14, 1994. This was a salvage of dead and dying White Fir, Ponderosa Pine and some Douglas Fir and Incense Cedar.

The mortality was primary due to stress, to drought, stress and subsequent attack from insect. The contract required gross log removal. That is any log whether merchantable or not as long as it could safely be put on a log truck, it had to be removed and taken to the mill.

The total harvest acres were 244 acres. This included helicopter logging, yarder logging, and tractor logging. It was about a third of each type of system. Now the total number of log trucks that were removed were 614. And if we assume that each load of logs weighed approximately 24 1/2 tons, then we removed 15,043 tons of material from this timber sale.

If you average that over the 244 acres that comes out to 62 tons per acre of dead and soon to be dead material that was removed. This is a significant reduction in any future fire hazard.

Now once the logging was completed, Hi-Ridge Company through the contract was required to hand pile 72 acres of the remaining logging slash. We had to pick up and pile any piece of material that was smaller than ten inches in size and ten feet in length, all the way down to every twig that was one inch by three feet in length. And this was piled and then covered.

After we completed the contract, the Forest Service has since hand piled an additional 32 acres of the timber sale area. And they have tractor piled 56 acres of the timber sale area. And this was accomplished through slash deposit collections that Hi-Ridge Lumber made under the timber sale contract.

Now this fall the Forest Service, using those same funds, is scheduled to burn another 66 acres, including burning the piles, the hand piles that have been piled and covered. So of the 244 acres that were salvaged and treated, 227 acres have had some type of treatment to them to remove the smaller, finer, flash fuels which can be quite volatile in fires in the first few years after a sale.

So the summary of this is that approximately 70 tons per acre of material was removed. The cost of the hand piling as part of the overall operating cost to Hi-Ridge, our portion and the deposits we made was approximately 17 percent of our total costs.

And the accomplishments that were gained from this were logs were removed and provided for the sawmill. Dead trees were removed and fuel levels were reduced. Health of the remaining green stand was enhanced and habitat was maintained.

Now the reason this was a success was that the Forest Service was able to get on the salvage quickly while there was still value in the timber and because of that this was able to be done profitably within the outline of the timber sale contract.

Thank you.

[The statement of Mr. Losekoot may be found at end of hearing.]

Mr. COOLEY. Thank you very much.
Mr. Felice Pace.

**STATEMENT OF FELICE PACE, EXECUTIVE DIRECTOR,
KLAMATH FOREST ALLIANCE**

Mr. PACE. My name is Felice Pace. For the past 20 years I have lived in the Scott River Valley, Siskiyou County, California. Since 1990 I have directed the Klamath Forest Alliance, a community-based non-profit organization in Etna.

I want to begin by thanking Chairman Cooley, the other members and my own congressman Wally Herger for the opportunity to testify. I have been outspokenly critical of some of Mr. Herger's statements and positions on forest issues in the past. So I really appreciate, Mr. Herger, that you remain willing to listen. Thank you.

In Siskiyou County almost everyone uses the national forests in some way, but not too many people live in communities within the forest, the national forest. Many KFA people, however, do live within the forest and we know it intimately. We have lived through firestorms and floods and one whole heck of a lot of salvage logging.

One of our staff members, Peter Brucker, was burned out by wildfire twice in 1977 and again in 1987. After these fires our members worked in the salvage logging and the reforestation. So we know salvage well.

Based on this experience, we can tell you unequivocally that salvage logging has been the most abused activity on the Klamath National Forest in the past. There is documentation of that in the written testimony.

One thing we can show you is Grider Creek, where we did file a lawsuit in 1989 to stop a fire salvage sale. We went back and did test plots, scientifically. And in randomly selected test plots, 71.3 percent of the trees marked to cut as salvage are still alive eight years after the fire.

We have also looked at logging slash treatments prescribed and planned on timber sales since the early 1980's in the Salmon River Ranger District of the Klamath National Forest. We found 100 different logging operations since the early 1980's where planned slash reduction never took place.

In other words, environmental documents prescribed and decision documents promised slash treatment to reduce the fire risk and it never took place. That is on 4,000 acres, 100 different sites. They have left those of us who live in and near the forest a legacy of intense fire risk.

There is a simple solution to this problem. Instead of allowing the Forest Service to collect slash money from the timber purchaser and then use 40 to 50 percent of it for administrative overhead, legislate that all needed slash treatments be included in the timber sale contract. The job will then get done immediately and efficiently, employing private sector timber contractors.

Lest I be misunderstood, I want to make it clear that we do not claim logging without proper slash treatment is the only cause of intense wildfire. There are many causes that you will hear about today.

We emphasize logging slash first because for the most part the problem with it has been ignored by the Forest Service. Second, it is a problem that you in Congress can solve by requiring slash abatement within the timber sale contract. And third, because untreated logging slash has been implicated in so many of the fires that have impacted our members and their communities.

Was the Recision Rider needed to move salvage sales? On the Klamath National Forest in the fiscal year that just ended, 1995, 40 salvage timber sales had sold before the rider took effect including the Soap Timber Sale that Frank Losekoot talked about in his testimony.

I would now like to focus on some of the problems I see in the approach to forest health taken in the Recision Bill. The environmental community believes there are health problems in our forests. The plight of salmon and so many other species are indicators of those problems. However, we do not see salvage logging as the solution.

We believe forest ecosystem health would be better served by emphasizing restoration forestry, working in degraded and younger forest stands with green tree selection logging and thinning from below.

The Recision Bill, in my opinion, also threatens the fragile beginnings of common ground which have emerged in the last few years. I am a member of the Siskiyou Management Roundtable with Frank Losekoot and Jim Ostrowski who are on this panel and others that are on other panels.

With an agreement in hand, we are working together on timber sales and watershed planning and we are making head way. The Recision Rider, however, has led to Forest Service decisions which threaten, I think, to destroy the Roundtable.

In my judgment that is because, whether Congress intended or not, Forest Service management on the Klamath National Forest has taken the Rider as a message to plan timber sales and road building in the most sensitive and remote areas of our forest.

Fifty percent or more of the proposed logging is scheduled by helicopter. That means jack pots, concentrations of slash that fed the fires which burnt out our members will be left in the forest. It also means many of the sales may not receive bids.

Bad as this recklessness is from the environmental and economic perspective, it is worse from the perspective of communities. In spite of urging by KFA and other groups, Klamath National Forest managers have largely ignored fire risk to forest communities, the residential forest interface, when planning 1996 sales.

Not one timber sale is planned to systematically remove dead trees, old logging slash, and ladder fuels that surround and threaten many of our forest communities. Instead they are going out to the remote areas.

Finally, in the past many of you on the task force have railed against the fact that for the price of a 32 cent stamp, a single individual could stop a timber sale. What I would like to emphasize is the down home democracy in that 32 cent appeal.

In an age when it costs a fortune to run for public office or to file a lawsuit, there is something wonderful, I think, about the fact

that any citizen who can come up with the price of a stamp can raise a grievance and have it be heard on its merits.

When I was a young man the most prominent criticisms of government came from the left. Now very similar critiques are coming from the right. Appeal rights on the people's forests recognize no distinction of party or politics.

Loss of citizen rights on the public forests diminish democracy, something about which we should all be concerned.

Thank you.

[The statement of Mr. Pace may be found at end of hearing.]

Mr. COOLEY. Thank you very much. Mr. Schultz.

STATEMENT OF MILTON SCHULTZ, GENERAL MANAGER, BURNLEY FOREST PRODUCTS

Mr. SCHULTZ. My name is Milton Schultz. I am general manager of Burnley Forest Products, located in Burnley, California. Burnley is approximately 50 miles northeast of Redding.

Our facility consists of a 31 mega watt, biomass-fueled, power plant, and a modern, small log sawmill, which is currently operated by Big Valley Lumber Company, a family owned business. The mill was constructed to provide fuel for the power plant and to take advantage of the vast quantities of small diameter saw logs indigenous to the area. The mill is capable of manufacturing 100 million board feet of lumber per year on a two shift basis.

Burnley Forest Products employs approximately 30 people at the power plant. The sawmill employs another 60 to 120 people depending upon the number of shifts operated. An additional one hundred plus people are directly employed by others to supply both plants with raw material. Both facilities began operations six years ago, in 1989.

Burnley Forest Products was developed as a result of the Public Utility Regulatory Planning Act of 1978, known as PURPA. Congress wanted the United States to lessen its dependency on foreign oil following the oil crisis in the mid-1970's. PURPA required electric utilities to purchase electricity from sources other than those fired by fossil fuels, such as biomass, at the utilities avoided costs.

California further encouraged development of these Qualifying Facilities by requiring utilities to offer forecasted, or fixed prices during the first ten years of a power purchase contract.

Today's fixed prices, forecasted when Burnley Forest Products was conceived in 1984, are in the range of 11 to 12 cents per kilowatt. The avoided cost for utilities today is less than two cents per kilowatt. Thus, as power plants reach the end of their fixed price periods, it is extremely important that low cost fuel be available, or continued operation is impossible.

When the power plants were conceived in the 1980's, thousands of tons of wood waste from sawmills were burned daily in tepee burners, or were stockpiled in the nearest ravine. Fuel had a negative value. Smoke from sawmills filled the entire region. On many days, Mt. Lassen was not visible from Redding.

In the late 1980's, as the power plants became operational, the wastes were converted to energy, the tepee burners were dismantled and the skies became clearer. Several hundred megawatts of electrical power capacity began consuming thousands of tons of

waste wood. In Shasta County alone, nearly two billion tons of wood waste are burned annually for electrical energy.

However, at the same time the power plants were solving the sawmill wood waste problem, the mills started closing due to Federal Government restrictions in the timber sale program. As a result, power plants had to seek new sources of material, all of it at higher cost.

Private forest landowners seized upon the opportunity and started to produce biomass fuel in the woods. An entire new industry was created using mechanical harvesting equipment: shears, skidders, and chippers. Over 15,000 acres of private forestry land are treated annually by suppliers to our power plant alone. In ten years, our plant will have been responsible for making over 200,000 acres of forest land fire resistant.

The forests in Northern California are heavily overstocked and are in dire need of thinning. In addition, vast stands of trees are dying due to stress created by seven years of drought. Removal of dense underbrush and dying trees lessens the chance of fire, improves the residual stand, enhances wildlife habitat, and provides employment and wood products.

Unfortunately, the Federal land managers have not availed themselves to the same extent as private landowners have for improving their lands. As a consequence, Federal timberlands are a tinder box waiting to explode. I still shudder recalling the 64,000 acre Fountain Fire, racing, with a roar of a thundering anger, toward the Burney Forest Products complex in 1992. Unless the fuel load is reduced on Federal lands and the dying trees removed, this nightmare is bound to happen again.

However, next year may be too late. Power plants may not be around. Some plants have reached the end of their fixed price periods and will not have enough revenue to buy fuel at today's costs. Utilities, such as PG&E, are paying power plants, still in their fixed price, to shut down because cheaper electricity is available.

The power plants are accepting these offers because, in part, fuel is hard to come by, and it is expensive. The highly efficient Big Valley sawmill is operating only one shift because of an inadequate log supply, thus exacerbating our fuel supply. And yet, we are awash in the sea of salvage timber and wood waste on Federal lands.

This past year another stranger has visited our woods. It is the pulp and paper industry. West Coast paper mills have traditionally supplied their plants with chips from sawmill residues. However, when over 30 percent of the mills close, 30 percent of the pulp chip supply from sawmills disappear.

Pulp mills have replaced some of this shortage by recycling paper and importing chips. They have also perfected methods for producing chips in the forests out of biomass material. It is an exciting development, but does not bode well for the power generation business.

While the pulp chip market may be a present outlet for biomass, the pulp market is subject to the vagrancies of supply and demand and may not always be present in the future. In a workshop last week, I learned about the hundreds of thousands of acres of plantations now being developed in Chile, Argentina, and Brazil. These

plantations are going to be a significant portion of the future supply of pulp mill.

In summation, the sawmills are going, or going fast, or their private timber supply is gone. The biomass power plants area beginning to shut down or phase out. And the pulp and paper industry is finding other and better sources of raw material.

We must act now to utilize our resources in the best manner possible.

Mr. COOLEY. Thank you, Mr. Schultz. I want to recognize that we just had Congressman Riggs join our group. Welcome aboard, glad you could make it.

Mr. RIGGS. Mr. Chairman, nice to be here. I should welcome you to Northern California.

Mr. COOLEY. Thank you. Mr. Bower.

STATEMENT OF JOSEPH BOWER, CITIZENS FOR BETTER FORESTRY

Mr. BOWER. Good afternoon. Thank you for this opportunity to appear before you. My name is Joseph Bower and I am here representing Citizens for Better Forestry, a grassroots environmental group.

We think that the salvage rider was not needed in this area and is actually a hinderance rather than a help. We believe that the salvage rider is bad for the workers, bad for the forests and bad for democracy.

The salvage rider is bad for workers because projects planned under Option 9 will provide for more employment than the salvage rider. Ecosystem management as prescribed by Option 9 would treat the forest according to its biological needs. Fixing roads, dealing with the excess fine fuels in high fire-hazard areas, thinning and cutting timber would provide sustained employment.

If you want to help workers, then reinvest natural resource revenues back into forest management. Salvage will do little to sustain jobs. Fully funding the Forest Service to implement Option 9 in the shortest way to see jobs and wood flow from the national forest of this area.

We believe that the salvage rider is bad for the forest because really no salvage crisis exists in Northern California. We have a forest health problem, but it is not necessarily a salvage crisis. Most national forests have had an active salvage program in place. And that is why most of these forests in the north are reporting little additional salvage timber available.

Some dead trees are natural to the forest landscape and are an essential part of maintaining biological diversity.

If you will come to Hayfork I will show you lots of dead trees on previously logged and roaded industrial timberland. The reality is much of what some people call salvage is not economically retrievable regardless of the biological needs.

The salvage rider has disrupted the transition to science based sustainable forest management. In the Option 9 forests of Northern California, the Forest Service was finally at the point of implementing Option 9 projects on the ground with others in the planning process that would sustain the activity. Now the agency has

ceased planning on many of the true forest health projects and gone on a salvage hunt at your request.

Salvage misses the point of need in regards to forest health. Once the value of the timber is removed from the site, the opportunities to accomplish other management needs are greatly diminished. Salvage typically removes big trees that are showing signs of old age. Dead trees, especially small dead trees and slash often remain on the site increasing fire danger.

The real need is to reduce fine fuels and fuel ladders. Jobs and wood as well as forest health would result. Congress must make the decision to reinvest in our national forests.

Some national forests are planning to build additional roads to access salvage. Logging roads have already caused multiple erosion and water quality problems. This has led to a sever decline in Salmon and Steelhead habitat. Salvage will cause more roads to be built, even for helicopter logging. Road maintenance is a major problem for the Forest Service and it is drastically under funded by Congress.

Even fire salvage must be approached carefully. If you will come to Hayfork I will show you areas salvaged after the 1987 fires that today look like moonscapes. The one area where salvage was stopped has recovered fine and is today a mature healthy forest.

We believe that the salvage rider is bad for democracy. Our American forefathers recognized that the right of redress of grievances is basic to democracy. The first amendment to the United States Constitution guarantees this right.

This salvage law attempts to take this right away. It undermines the foundations of our free society. Often citizens admonishing the government to follow its own laws is all that stood between the forest resources and disaster.

You, yourselves, are quick to point out that the Federal Government is inept, cumbersome, even corrupt. Yet you, in supporting this law, advocate taking away the peoples right to call for judicial review of resource management decisions that demonstrate such ineptness. What are you really trying to do? Separate the people from their power and resources?

We call on you to support reinvestment into the national forests. Fund the Forest Service so they can do their job. Fund sustainable since based management. Stop imposing programs that steal the trees and value, but leave the problems behind.

Thank you.

Mr. COOLEY. Thank you, Mr. Bower. Jim.

STATEMENT OF JIM OSTROWSKI, TIMBERLAND MANAGER, TIMBER PRODUCTS COMPANY

Mr. OSTROWSKI. Thank you, Mr. Chairman. My name is Jim Ostrowski and I am the timberland manager for Timber Products Company. I am a California Registered Professional Forester based in Mt. Shasta, California.

Timber Products Company is a family owned forest products business which specializes in panel products such as hardwood and softwood plywood, particle board and value added processing to meet customers needs. Timber Products owns and sustainably manages 125,000 acres of timberland in Northern California which

supplies part of the log supply for our Yreka, California veneer operations.

Much of this land is intermixed with the Klamath National Forest and the Shasta Trinity National Forest lands. The rest of our raw material supplies come from logs purchased on public lands or other private timber lands. We are also a member of the Siskiyou Forest Management Roundtable.

I am here to address the committee on the condition of the national forests in Northern California and why I think many parts of the forest need immediate attention to restore their health. The process imposed by the Option 9 forest plans does not allow for a timely solution. The solution can only come from the professional land managers who are working at the forest and district level, not from the top heavy planning and review process imposed by the Option 9 plans.

The real issue becomes finding a solution for returning our forests to a healthy condition. I think as you said earlier, we all agree we have lots of dead trees. A healthy condition in this case is a forest which has some resilience to droughts and catastrophic fires.

Past fire suppression has provided the protection for long-term planning and investments and we must continue to suppress wildfires in order to protect these and future investments and to protect our future supply of wood products, clean water, recreation, fisheries and wildlife.

The thinning, which some fires have done in the past must be replaced by thinning treatments which utilize merchantable products or leave the unusable vegetation to decompose back into the soil. Some thinning can be done at a profit to the government while some will be a cost. Both types of thinning must be done in order to return our forests to a healthy condition.

The current Option 9 forest plans have set up a process of assessment, analysis, planning and implementation which is a drain on available funding, human resources and precious time. The time factor is critical in order to capture some of the value in the wood from the dying trees. This forest capital needs to be reinvested into the projects which thin the forest and reduce fuel levels. The time delays in the Option 9 process are letting trees rot to the point of little or no value. A one year delay can reduce smaller tree values to zero.

Congress may have thought the salvage amendment reduced some of the process' involved or imposed on the Forest Service. The MOA signed by the executive level departments instructed the Forest Service to continue with their existing assessment and planning process before accelerated levels of salvage and thinning sales can proceed. Some specific areas the Forest Service is wasting critical time are:

One: Late succession reserve and adapted management area assessments and plans. The LSR plans must be reviewed and approved by a regional ecosystem office in Portland. All these take additional time and resources to develop.

Also watershed analysis in key watersheds must be developed.

There is also a threatened and endangered species consultation with the U.S. Fish and Wildlife Service Biologists which can take quite a bit of time.

Another, a review process of archeological consultations with the State Office of Historic Preservation.

These laborious assessments, consultations and reviews are not only extending the time needed to prepare projects, but also take skilled personnel away from sale preparation. Projects are projected to take three to six months longer to prepare at a minimum. I have an example where it is going to take longer than that, an area that is intermixed with our lands where we have been salvaging continuously for the last three years as we see the insects killing trees which included a helicopter salvage operation this year.

I asked the Forest Service recently if they had planned to salvage their timber. And this is an area that was not on their 1996 sale planning schedule. And they were well aware of the problem there, but they said because of the time constraints and personnel constraints needed to do the assessments, these were in an LSR or late succession or reserve area. They were not going to have the sales ready until about this time next year.

We have noticed a significant deterioration in the logs that we harvested this year that were salvaged from our lands. The time factor is a big deal here that is not helped by these additional assessment.

Critics of the salvage amendment will claim the increase in forest health projects will be too high of a risk to the environment. The real risk is not with the projects but with leaving our forests to deteriorate further and allowing the capital and those trees to be wasted instead of being put toward reducing fire risk and fuel loading.

Thank you very much.

[The statement of Mr. Ostrowski may be found at end of hearing.]

Mr. COOLEY. Thank you very much. Mr. Pace, could I ask you a question? And just kind of curiously, I looked at your testimony. It is so well done. How do you receive your funding for your—

Mr. PACE. We are 100 percent private, privately funded through donations from individuals and grants from private foundations.

Mr. COOLEY. Are you a 503?

Mr. PACE. 501-C-3.

Mr. COOLEY. Would you mind providing your last financial statement to the—

Mr. PACE. Absolutely not.

Mr. COOLEY. Thank you, I appreciate that. I have to ask you a question. I kind of have an empathy, I guess, for the Forest Service. On one side there are people who want the Forest Service to manage and to get out more material, on the one side, and then on the other side people do not want them to. And then all of a sudden now I hear from you that when they do they do not do a good job. They are in a heck of bad spot.

Mr. PACE. They are. Everybody criticizes.

Mr. COOLEY. There are critics on both sides.

Mr. PACE. That is right.

Mr. COOLEY. Did I understand you truthfully in saying that when they go in and even harvest a clean up operation such as dead and dying timber that your organization feels that they do not

do a good job of cleaning up the floor so, therefore, they leave the high fire danger? Is that what you were telling us, more or less?

Mr. PACE. In a number of sales—you know, we are on the roundtable, the Siskiyou Forest Management Roundtable, and as Frank said the soap sale is an example of a sale where it was done right.

But we have looked at this statistically and, you know, in one ranger district since the early 1980's there are a number of places where it has not been done, has not been accomplished. Mr. Cooley, I want you to understand that we have supported salvage timber sales. We supported district-wide salvage sales.

Mr. COOLEY. There is not criticism of that. I was just curious—

Mr. PACE. OK. I just want to make sure you understand. We want to see them done right. And it is difficult in the salvage timber sale because of, like the foresters told you today, the value is not as high.

So if the sale is not producing enough money, then it is hard to use that money to get the full job done, OK. And what we are looking for, I think all of us, there was a vast amount of agreement, I think, on this panel and the previous one, that we want to see forest health treatments.

It is not enough to just get the material out to the mill, we have to do things right. And with good log prices, you know, we can get that job done. Sometimes we are going to have to invest, what Joseph said, invest some money back in because we do not have the value there to get the full job done.

Helicopter sales are a big problem. They are very expensive to do and generally they do not generate enough money to get the slash treatment done.

And so in my testimony you see that there are four or five examples of fires that blew up in helicopter slash. That is a big problem. And yet, on the Klamath right now, 50 percent of the planned volume, salvage volume, or timber sale volume for the next couple of years is going to be in helicopter salvage sales.

We think that is a big mistake. We want to see them go in the areas around our communities which they have not considered at all and do a complete job in those areas first.

Mr. COOLEY. So, in kind of summarizing from, without going into every detail of your testimony, what you are saying is that as an organization you agree that salvage sales should be put out, but in theory that the salvage sales must be complete. Not only do we get out the dead and dying, but we must also get out the slash that creates these terrible hot fires and go back and replant.

So it should be an overall, your organization is going for, not only salvaging, but also a clean up in the process.

Mr. PACE. Clean up, and you know, green tree thinning if that is what is needed.

Mr. COOLEY. Oh, you support green tree?

Mr. PACE. The problem is these administrative costs on the slash treatment, too.

Mr. COOLEY. Well let me kind of trigger your memory because I know you know this. I just want to revocalize it. If you remember when the President sent up his Option 9, when he initiated the Option 9, he said that there was enough money in the Forest Service account to fully implement Option 9.

Now if you look at Option 9, Option 9 has new roads, a lot of things. So if that was a fact a year and a half ago, it still should be a fact today. And I think your testimony to me was very enlightening because apparently something we were not really aware of. You have brought something out. It just did not click in.

Mr. PACE. Thank you.

Mr. COOLEY. But thank you very much. I only have one minute. I would like to—Mr. Bower, you are familiar with Option 9 of course.

Mr. BOWER. Yes, I am.

Mr. COOLEY. And all of the implications. And I point out to you that the President said there was sufficient funding to initiate and to operate under Option 9. The thing that I do not—that I would like to say to you and I would like you to answer this for me, if you might, while I have my one minute, is that the industry does not set the salvage bill or the salvage areas. The U.S. Forest Service of the Bureau of Land Management makes the selection. We do not drive this, they drive it. They say that this area should be salvaged.

They do not have to go out and look for it. They know where it is, OK. They do it. The only thing that we did in the law is that all the appeal processes are there for people who did not agree with it. We did not take that away from you.

What we said was is that once the appeal process goes through the one time process, and a judge—we do not control the judicial system—a judge makes the determination that it met all of the environmental laws, that all of the criteria for a cut, that a judge would make a decision and either the contract would be let or it would not be let.

If it is not let, whoever objected wins. OK, the industry loses. If it is let we said you no longer can continually appeal for five, ten years down the road which we lose all value. Now the industry is not driving this, nor is Congress.

I want to make it clear the U.S. Forest Service, the Bureau of Land Management and the judicial system makes the decision. So the salvage bill does not do what you said it does. I want you to be perfectly clear.

We spent a lot of time on this project and I want you to understand it. We never did anything to take away your right of dissention or against the appeal process.

Mr. BOWER. Mr. Cooley, I wish you would inform the regional forester who is here today of that decision because he and the Washington office have sent down memos stating that no salvage project on the national forest or any project on Option 9 forest can be appealed. And in other forests, salvage sales cannot be appealed.

There is a judicial window of 15 days which is an impossibility for—

Mr. COOLEY. Do you have a copy of those memos?

Mr. BOWER. I do not have it with me, but I have—

Mr. COOLEY. Oh, I see. There is a gentleman who has it. When we get around to it, I would appreciate it if you would submit that to the committee. Because absolutely there is a mistake here and I am glad you brought that up. There is a mistake.

Mr. BOWER. Well, I certainly hope you will take steps to correct it because as I stated in my testimony I think that this is really infringing upon the rights guaranteed by the Constitution the way it was handed down to us.

Mr. COOLEY. Absolutely. We do not agree with that, but we did not infringe upon your rights.

Mr. BOWER. I hope you will correct this, then.

Mr. COOLEY. Yes, we will. Thank you very much. My time is up. Mrs. Chenoweth.

Mrs. CHENOWETH. Mr. Bower, are you referring to the MOA that the President had his agencies enter into?

Mr. BOWER. No, I am referring to a specific——

Mrs. CHENOWETH. Memo.

Mr. BOWER.—memo that came down that gave instructions to the Forest Service regarding how to handle appeals.

Mrs. CHENOWETH. Do you know who signed that memo?

Mr. BOWER. It originated in the Washington office and then it was reissued from the regional office. And so I would think that Lynn Sprag signed the regional one, but I would have to go back and look at the names on it.

Mrs. CHENOWETH. All right. Is your organization a 501-C-3?

Mr. BOWER. No it is not. We are totally a grassroots organization. We are an ad hoc group, working group, and we meet our own expenses in our participation.

Mrs. CHENOWETH. OK. Mr. Pace, I was interested in your testimony. You indicated on page one that after the fires of 1977 and 1987, that your members worked in salvage logging and reforestation.

Mr. PACE. That is correct.

Mrs. CHENOWETH. In what capacity?

Mr. PACE. As timber fallers, as replanters, tree planters——

Mrs. CHENOWETH. So they were employed by——

Mr. PACE.—everything.

Mrs. CHENOWETH.—logging companies?

Mr. PACE. Absolutely. Some of them still are.

Mrs. CHENOWETH. And that is how they made their living?

Mr. PACE. Some of them still do.

Mrs. CHENOWETH. OK.

Mr. PACE. We all get along in Siskiyou County for the most part.

Mrs. CHENOWETH. That is great. On page two, you testified to the fact that recently with the help of dedicated forest scientists and their students, we have documented the problems that you refer to earlier in rigorous studies. Who are the dedicated forest scientists and the students that you are referring to?

Mr. PACE. You want me to name names?

Mrs. CHENOWETH. No, I want you to tell me who they are, generally.

Mr. PACE. OK. They are biologists——

Mrs. CHENOWETH. Who are?

Mr. PACE.—and foresters.

Mrs. CHENOWETH. Who work——

Mr. PACE. They work for universities. Or they work—one of them works for us, now. We have one forest ecologist working for us.

Mrs. CHENOWETH. OK.

Mr. PACE. The work on the one sale, I will give you some specifics—

Mrs. CHENOWETH. Well let me ask the questions here because I only have five minutes.

Mr. PACE. Oh, I was going to tell you—

Mrs. CHENOWETH. You talked about the second study looked at logging slash tree that is prescribed and planned on timber sales. You found 100 different logging operations where planned slash reduction never took place. Who asked you to look at these sales?

Mr. PACE. Nobody.

Mrs. CHENOWETH. No one asked you?

Mr. PACE. No.

Mrs. CHENOWETH. And who are some of the organizations who provide the grant funding for your organization? Can you name some of them?

Mr. PACE. Sure. The W. Alton Jones Foundation. The True North Foundation. There are several others.

Mrs. CHENOWETH. On page two, you mentioned that beginning in 1991 you helped develop and supported ranger district rights salvage and environmental assessments. Who hired you to do that?

Mr. PACE. Nobody. We did it as volunteers. At that time I was a volunteer.

Mrs. CHENOWETH. How do you earn your living?

Mr. PACE. I direct the Klamath Forest Alliance.

Mrs. CHENOWETH. Who pays you—who writes your checks?

Mr. PACE. The Klamath Forest Alliance.

Mrs. CHENOWETH. And that is the group that is supported by these other organizations?

Mr. PACE. By private foundations and by individual donations.

Mrs. CHENOWETH. OK. How long have you worked—

Mr. PACE. Is that OK?

Mrs. CHENOWETH. It is a free country.

Mr. PACE. Yeah, that is what I thought.

Mrs. CHENOWETH. How long have you worked for this—

Mr. PACE. Sometimes I wonder though.

Mrs. CHENOWETH. Excuse me. How long have you worked for the organization?

Mr. PACE. I have worked for the organization since 1989. I have been paid full time by the organization since 1991 except for two periods when I had to go on unemployment because we ran out of funds.

Mrs. CHENOWETH. So now you know how our loggers feel?

Mr. PACE. I knew it before. I have lived in this community for 20 years and I have a lot of friends that are loggers.

Mrs. CHENOWETH. Now you mentioned on page three that the recision bill threatens a fragile beginnings of common ground which have emerged in the last three years in our communities. And you talked about the roundtable discussions. By that statement do you mean that you would be willing to leave the table because of the recision?

Mr. PACE. I may have to—it is actually, what I said there is that it is the interpretation or the way the Klamath National Forest specifically is implementing the Recision Rider because they have switched from areas where we can find common grounds to areas

that are very sensitive that our salmon stocks depend on. You know, that involves entering very sensitive areas.

It is very hard when a whole timber program is oriented around getting into very sensitive areas, I have a hard time working on it. You have to build common ground from the easier areas up to the more difficult areas. That is what I mean.

Mrs. CHENOWETH. Mr. Pace, on page four of your statement you speak approvingly of the efforts of Neal Sampson, American Forest Mr. PACE. Uh huh.

Mrs. CHENOWETH.—to develop the Lorocco Forest Health Bill of 1992. I would like your response to Mr. Sampson's remarks before the House Resources Committee earlier this year. And Mr. Chairman, I would like for the unanimous consent to extend my questions so Mr. Pace can respond for two minutes.

Mr. COOLEY. No objections.

Mrs. CHENOWETH. What Mr. Sampson said was the bottom line is the current situation is deplorable. And he said this before our House Resources Committee. He said, "In 1994, almost four million acres, nearly all Federal land, was hit by wildfire. We spent around \$1 billion and lost over 33 lives to achieve horrible results on the land. Few of those fires could have been prevented by forest health projects. But some could have been made far less destructive for every acre that experienced destructive wildfire in 1994, there are probably five or more that remain at high risk.

"Whether they burn in 1995 or 1996, as a matter of chance, whether an unforeseeable circumstances, but they will burn. And with the fuel loads present in many places, they will burn at destructive heat intensities and they will cost billions. All of that is not conjecture. It is a certainty."

Do you have a response for that?

Mr. PACE. Absolutely. I agree with his statement and I would say in response that it describes the situation we are in on our western forests, public and private, and it has taken a long time for us to get into that situation, we are not going to get out of it in one year or two years. We are going to have to work at it for awhile. And you know, I have to believe that you folks come from these communities and that you want to get the job done, OK. We would love to get out on the ground with you with the people from the Forest Management Roundtable and show you what we think the whole job is. Your intent is not at question, at least in my mind.

But to do that forest health job and if you read the reader that the American Forest put out, that Neal Sampson and another gentleman authored, it is not just salvage logging. It is going to be a whole lot of different treatments and some administrative changes including, I think, changing the BD fund which has too much administrative costs in it, so that we can get the whole job done.

And we are willing to work on that to find common ground. But I cannot work on it when the Forest Service is going into the most sensitive areas in a very expeditious fashion without really thinking it through.

Mrs. CHENOWETH. I appreciate that answer and I see that I have about 30 seconds left, but you mentioned that the salmon is an indicator species. And, you know, in your testimony here on page

three, you did not testify to that, but it was very well done testimony.

And, I just want to say I think the humans are an indicator species too.

Mr. PACE. I agree with that.

Mrs. CHENOWETH. Thank you.

Mr. COOLEY. Thank you very much, Mrs. Chenoweth. Mr. Herger.

Mr. HERGER. Thank you very much, Mr. Chairman. Mr. Pace, I believe we have had a very good relationship over the years. You mentioned, I believe at several times in your testimony and in answer questions, that you have a number of friends in Siskiyou County who are loggers.

And we heard testimony earlier from Mrs. Smith who indicated how out of all the mills in the county where you live and resided for 20 years, that there is only enough product, wood, coming out of the forest to barely keep one mill going. Which means you must have a number of your friends, these friends of yours that are out of work. Is that not right?

Mr. PACE. Some of them are out of work. Right now there are not too many loggers that are out of work. There were——

Mr. HERGER. Are you saying, I have limited time, are you giving us the impression that these mills are going and everything is going well, that they are not out of work?

Mr. PACE. About 60 percent of the logs that are cut in Siskiyou County are milled some place else. That was true before Option 9, before the injunction and it is probably true today. The work we do is in getting the logs out.

Mr. HERGER. What percentage of trees are coming out of these—what percentage of the harvest is taking place today as say was back seven years ago or so?

Mr. PACE. Well if they meet their target, it would be about 40—on the Federal lands? It would be about 40 MMBF. But overall, public and private together, it has stayed about the same.

Mr. HERGER. I do not want to belabor this because I only have a limited amount of time. The fact is that you would not disagree that the amount of harvest we have today is dramatically lower than it was not too many years ago.

Mr. PACE. Right.

Mr. HERGER. OK. That is it. And one of our biggest critics of what we are doing and one of those who is involved in stopping this harvest is yourself.

Mr. PACE. Well I have stopped it at times when I thought it needed it to be stopped and I could accomplish that. And I have supported it when I could support it. And that is the point.

Mr. HERGER. You have opposed it far more than you have ever supported it.

Mr. PACE. That is not true, Wally. That is not true.

Mr. HERGER. OK.

Mr. PACE. We have been involved in about five lawsuits.

Mr. HERGER. Well I just want to—let me move on because I want to get to—I know a month or so ago you led some overflights and you mentioned in your testimony some concern you have of some

of the forestry practices. And I guess that is what I really want to get to.

Mr. PACE. Uh huh.

Mr. HERGER. And I heard testimony from Mr. Losekoot and I would like you to maybe respond about how effective you have been or at least your company in going out and not having evidently the results that Mr. Pace was critical of. And I guess I would like to hear your comments. Can we go out and conduct ourselves in a manner in which you can make money, we can somehow make money, keep for the U.S. Treasury and not leave the type of problem that Mr. Pace is talking about?

Mr. LOSEKOOT. Well, as I mentioned in my testimony, if we could get to it soon enough, we could do a lot of things. I think the main thing that we have to kind of get away from and I go back to the first panel—it has always been a tradition of this country that we utilize something that is wasting.

And I think the problem the Forest Service has to get away from is that that has to be their priority. In the past, when we have had catastrophic fires in the 1970's, in the 1980's, they were dealt with swiftly and we had salvage coming out the following year.

And with the catastrophic salvage that we are facing the last couple of years, it is not happening. And I think their thinking has to change. They have to get away from this idea that everything has to be saved for habitat.

And I think we have to go back to having strong line officers that make decisions and that the other agencies that are supposed to be supportive, the Fish and Wildlife Service and the National Marine Fishery Service, that their veto power over these projects are removed.

My boss, Mr. Bendix, who I think you know very well, but Hi-Ridge's mill was in—in 1967, there was a fire that burned in September. By February of the following year, logs were already coming out of the woods.

Mr. HERGER. I think I hear you saying if we could apply some common sense, allow those that we have trained, who have the background in this, to go in and do their job, that we could be able to not have the type of problems that I believe Mr. Pace and I believe I think you have been accurate in some instances that you have shown, but avoid this type of thing.

In other words, we can practice good sound science in forestry and be able to protect our environment and do it in a manner that we can still do it above costs, not below costs, but above costs and be able to help salvage some of these dead and dying trees before they burn down. Is that your observation in your experience?

Mr. LOSEKOOT. Yes. Yes. And along with that goes—

Mr. HERGER. That is very important. The reason that is so important is that I know, again, there is a number of people that you took on fly overs who came out of that tour of yours, Mr. Pace, feeling we should not be—basically feeling we should not be doing any salvage logging. We should not have an emergency bill that will allow us to expedite as you are talking about, Mr. Losekoot, that basically would keep our program the way that it is now. Which means we are paralyzed.

And that we continue to wait so long in going through the process that by the time we are finally able to move, these harvests are below costs. The trees are not worth anything anymore. And, again, that is why we are here today.

To hear us talk you would think we could all work together, but regrettably we have not been. The results speak for themselves. The process is not working and we have to make it work. I know we can do that and both preserve our environment that was stated earlier by Mr. Bower, or someone stated earlier preserve our environment and still at the same time be able to keep our communities going and bring about some sound forest health.

Thank you.

Mr. COOLEY. Thank you, Mr. Herger. Mr. Longley.

Mr. LONGLEY. Thank you, Mr. Chairman. I would like to ask the panel a question. And I will preface it by saying that it is clear that we can find a number of extremes. And my question is directed at what responsible management of the forest really means.

Because when you get right down to it, the fundamental issue is not salvage, it is on what basis or how do we manage the forests, how do we use, if at all, the resource. And I have no doubt that there would be some who would suggest that we should leave the forest to itself and irrespective of the billions of tons of fuel that will pile up that every once in a while Mother Nature will come through and just burn it all up and we will start from scratch again.

And there might be some on the other extreme who just as soon cut anything down that shows any sign of life. I detected, I took interest in a comment that was in one of your testimony, I forget who, that God help us if during a salvage operation we actually cut down a healthy tree.

I would like to know what is appropriate management of this resource. Could each of you maybe give me your own view? Sir. Mr. Losekoot.

Mr. LOSEKOOT. Being a forester, I guess I look for the forest to provide products. And I think that it is a living dynamic thing and we cannot just put it in a reserve and expect it to remain that way for decades. I feel we have to manage all of it.

Mr. LONGLEY. So your view would be that normal, manual harvests, if selected, on some scheduled basis would be appropriate in all of the national forests?

Mr. LOSEKOOT. Certainly.

Mr. LONGLEY. Mr. Pace.

Mr. PACE. In responsible forestry, there are two questions here really. Where you do it and how you do it. I have been on the Allegash Wilderness waterway in Maine. You have a lot of flat land up there. It makes it real easy.

We have radically steep mountains that are extremely unstable. Big landslides, deep soils that have been raised up to radical positions like 40 to 50 percent slopes. OK, those areas you cannot do what you can do in Maine.

So there are many areas, I was in one yesterday, very high landslide rates naturally. And then the studies that have been done showed that if you intensively log them, those landslide rates go up ten times. If you put roads on them, they go up 100 times.

So those areas like Dillon Creek where they want to do salvage now after a fire on the Klamath should not, in my opinion, be logged. There are other areas where we should.

I think the forest could get along without people. I do not think the forest needs people, but I think there are ways that we can work with the resources that are sustainable of the forests and of the community. But that can only be done, OK, if we build the common ground to do it and if we recognize there are some areas where those activities are not appropriate or where the costs of doing them, of getting the economic value, have other costs, like water quality, like salmon runs.

Mr. LONGLEY. Who would you put first? The people or the resource?

Mr. PACE. I do not think that—that is not the dichotomy that I see. I think we have to—that ultimately what sustains the environment, its natural capital, sustains us to. We have to find the balance.

Mr. LONGLEY. OK. Thank you. Mr. Schultz.

Mr. SCHULTZ. Yes. I believe people are an important part of the equation, but I think each of the forests are site specific in setting goals. You want to have resources available for people. You want to protect the environment. You want to enhance wildlife habitat. You want to protect watersheds.

All of these things would be in a mix. It does take management, however, but once the objective is there, we have to focus upon what we want the forest to look like, and then we can manipulate. We can do it in any way we want. We can achieve any objective.

We have the tools. We have the people. We have the knowledge. We need to be focused on what we want to achieve so the people can benefit from and enjoy the forest.

Mr. LONGLEY. Mr. Bower.

Mr. BOWER. I think that we are in a transition from an extractive, resource extractive, mode of management to a science based sustainable management of the national forest. And I think that is the only responsible way for us to proceed.

One of the reasons I say the salvage rider is bad is because it continues to do what we have done in the past. We are taking away value in the forest without reinvesting and getting the job done that needs to be done on that piece of ground.

And just to give you an example. On the Hayfork district, on the Shasta Trinity National Forest, there is a forest health project that has just been released. The Forest Service contracted this out to private industry, spent \$400,000 to have an environmental assessment done for this project on some 22,000 acres.

Now that project is separating out forest health from salvage. And it proposes to do the salvage in the same way that we have always done it—go in and cut the trees and leave the mess behind.

I say, well when are we going to do the forest health with it? It seems to me like we need to integrate it. Whoever goes in to cut the trees needs to do the forest health work also. But it is now separate.

And I asked them, how much are you going to be able to accomplish? Realistically they cannot see enough money there to do ten percent of the forest health projects proposed for this area. Yet, the

salvage is going to go on. That will happen. And it will leave the area in worse condition than when they started.

A few trees will be removed, but they will not be the dead trees and the fine fuels that are the real forest health problem. It will be the trees that are in the process of dying and still have some value in them.

What we need to do is to turn that value back into doing the forest health needs of that site and then supplement it with other money. You know, whether it be the natural fuels what they call BF two dollars or other funds.

But, you know, you have to realize that this area has sent hundreds and hundreds of millions of dollars to the U.S. Treasury in timber revenues the past years and ignored doing the management needs of the forest. Now that has caught up.

Mr. LONGLEY. If I could just ask Mr. Ostrowski in the two seconds we have left.

Mr. OSTROWSKI. That is all I have to say. I was going to say when I drive through our national forests or hike through them or look at them from a distance, I see a vast sea of green. And I think the history of the Forest Service has produced a beautiful forest condition that we need to continue to produce.

At the same time, we need to allow the professional people that are managing the forest both in the national forests and the communities that are in these forests to continue doing this. We are going to make some course corrections.

We know more than we did 20 or 30 years ago. I think that is true of all professions or all activities. But, nonetheless, we need to continue to manage these forests and utilize the people on the ground to do that. Thank you.

Mr. LONGLEY. Thank you, Mr. Chairman, for the indulgence.

Mr. COOLEY. Thank you. Mr. Radanovich.

Mr. RADANOVICH. Yes, thanks Mr. Cooley. I think it is important. I think I want to make a specific point here and that is that the reason that we had a timber salvage bill to begin with was for people like Mike Taff and Frank Losekoot and people from my district, Jon Norby and Kirby Molen who over the last three years have been put out of work because of drastic management changes of the national forests by the national parks service.

The idea was to get in quickly, not to use timber salvage as a management tool, but to get them back to work in the forest a little bit sooner assuming that the dead trees that were out there due to these last seven years of drought only had finite value to them and getting them in quickly and getting them out was the first step.

The second step being taking a look, reassessing sustainable yield and making it so that the three lumber mills that were in my district two years ago can have a chance of utilizing the forest out of the Sierra National Forest in Sequoia and parts of the Stanislaus.

It seemed like such an easy thing to do at the time. But, unfortunately, and you are getting a perspective of somebody that is new to this congressional process, due to the fact that the administration tends to disagree and put in a lot of the administrative guide-

lines is pretty close to the assessment that there are far too many cooks in this kitchen, here.

And, unfortunately, when you have that nothing gets done. And, unfortunately, when you have a good idea it gets bogged down in bureaucratic garbage like this, unfortunately. And it would seem to me that Mr. Bower, I think that you have a great idea in your right to challenge certain plans and such through the appeal process if you do not agree.

But, unfortunately, that right can be abused too. And probably the most specific example I guess would be a citizen from Florida who has no business filing an appeal or a complaint on something that happens in forests in California. It seems to me that is just too far to be concern.

I often think—I come from—Yosemite National Park is in my district and it is a place that I love, and there is a lot of concern over it. But I often think that, you know, if that park dies it will be because it is going to be worried to death by so many people. And I often think that California forests are going to end up the same way.

I do not have a solution to that. But I think it makes awfully good sense to go in and take advantage of trees that have died during a drought which is not caused by anybody except God, and go in and salvage in order to provide jobs to people that have lost jobs in the industry over the last three years.

Unfortunately, we have a situation where the administration has thrown a few curves and it is going to take a little bit longer to do it. But I think the job we have here today is to sit down and find out how can, given the fact that we have a bill, given the fact that we have a MOA, how can we at least take advantage of getting in there and getting out as soon as we can to take advantage of dead trees that are left over from a drought.

It is not a good permanent management tool. I would agree with you that it is not. But there are jobs lost out there and there is dead timber in the forest. And it seems to me that what we need to do is find out how to get in and take advantage of it and get out. And then begin the second process of finding out how can we make it so that an industry can survive and still manage the forest well.

I do not know if anyone has a comment on that, but at least I spoke my peace.

Mr. COOLEY. Thank you.

Mr. PACE. I have a comment.

Mr. COOLEY. His light is still green so you are half done.

Mr. PACE. OK. I think that everybody on this panel and probably everybody here shares that view. You know, certainly I do not think you would want to take advantage of something if it was going to damage something else. So we need to do salvage—where we can move quickly—and I talked in my testimony about these district wide salvage programs that we had all through the injunction period, before the injunction. They worked very well because you did not have to do an environmental document for each sale.

And I think everybody agreed that they did well. So there are ways. But those were in noncontroversial areas. When you have a very sensitive area, I do not think you want to destroy a salmon

run in order to get the economic value; we want to have both if we can.

So we can move quickly in the nonsensitive areas and we would support that with the whole community, the support would be there, if we could, you know, be more careful about the areas that are more sensitive.

Mr. RADANOVICH. Mr. Ostrowski. I saw at first—I do not have a lot of time.

Mr. OSTROWSKI. That is all right. I was just going to say that I think because of the process that you have laid down that it still requires full environmental analysis and review of any project under the salvage bill. We are not going to be destroying salmon runs, or the Forest Service is not going to be.

And I think there is ample protection there. The problem is there is a lot of other processes added on top of a normal NEPA review that are delaying this process to where we are losing valuable assets. And they are the people of this country's assets that I think we are losing.

And so I think there is really—I agree with you 100 percent. We need to move forward and not argue about this. And there are many areas that are considered sensitive by some, but not because of their environmental sensitivity necessarily, but because of their designation in an Option 9 plan. But they may not have environmental sensitivities such as unstable soils or sensitive species, things like that, that cannot be worked around.

And so I think there is a lot of opportunity here that just needs to be gone ahead on and allow the Forest Service to do their job because they are going to protect that. They still have to maintain the laws. Your bill, as you know, did not allow them to hurt the environment.

Mr. RADANOVICH. Thank you, Mr. Chairman.

Mr. COOLEY. You're welcome. Mr. Riggs.

Mr. RIGGS. Thank you, Mr. Chairman. And again, thank you, for forming this very important task force and for conducting these field hearings in different parts of the country.

I want to just go down the panel very quickly and ask our witnesses point blank, do you feel that the Congress, the Legislative Branch of the Federal Government, ought to be setting forestry policy on Federal forest lands? And if not, who should be setting it.

I mean what we effectively have here in this country in recent years is judicial activists from the Federal bench setting policy in the de facto manner as a result of constant litigation. So I would like to know from you whether you think the Congress, including those of us here today, have the express authority to set forestry policy on Federal forest lands.

Mr. LOSEKOOT. Yes, I think Congress does. I think that part of the problem is that accountability has been lost with the Forest Service and BLM. In past budgets they were given specific targets. That is no longer the case.

Fish and Wildlife Service and National Fisheries Marine Service they are not accountable to anybody, or excuse me, they are not accountable to the annual cut. I think that should be changed. I think one possible solution is in the salvage situation for biological opinions, we ought to let the Forest Service issue those.

Mr. PACE. Mr. Riggs, clearly Congress is responsible. But I do not think that that should be done in a piece meal kind of basis. I think that, and specifically not in the appropriations process, it should be done up front with good hearings on NFMA, if you want to look at NFMA. I know that you are looking at all those things. But that is the way it ought to be done, not in a piece meal fashion.

Mr. RIGGS. So you object to the process, Mr. Pace?

Mr. PACE. Of doing it in the appropriations process, yes. It should be done in the regular legislative process.

Mr. RIGGS. As the only member of the Appropriations Committee here today, I will defend the process. While you have the microphone, let me ask you very quickly, what percentage of the Klamath National Forest you consider to be sensitive? And let me ask you point blank if you know what the annual mortality rate is on Federal forest lands on the Klamath Province?

Mr. PACE. In the Klamath Province—on the Klamath National Forest it is less than one percent.

Mr. RIGGS. What would that be board feet?

Mr. PACE. I do not know.

Mr. RIGGS. OK. What percent of the Klamath National Forest do you consider to be sensitive?

Mr. PACE. Well, you know, I do not have the figures in my head. There is a lot of landslide terrain out there as you probably know. I think you have been over the ground like I have. I do not have the figures in my head. I think that has to be looked at on a watershed basis.

Mr. RIGGS. OK. Mr. Schultz.

Mr. SCHULTZ. Well, yes, I agree witht you, gentleman and ladies, Congress is the policymaker. I think one of the issues that has come up here today though, is the diversity of forest in California. From the coast and its Red Woods, one moves across Douglas Fir stands to the pine areas.

We are all thinking of a different forest. And it is not just one forest. For example, in Redding, at the Turtle Bay Park and Museum, just a hundred yards from here, we have a demonstration forest, that I invite you to visit after the hearing, that depicts the forests in California, from the redwoods in the west, through the firs and pine in the central region, to the cedar and the sequoias in the east. And you will be hearing more about—

Mr. RIGGS. While you still have the microphone. I was impressed by your testimony. Are you suggesting that by not removing the dead, dying and diseased trees from the Federal forest lands, we are losing a potentially valuable source of raw material by which to make biomass energy?

Mr. SCHULTZ. Yes, absolutely.

Mr. RIGGS. OK. Mr. Bower.

Mr. BOWER. Well certainly Congress along with the President should be making policy for the national forests in this country. However, I certainly object to your doing it the way that you have done this salvage rider. To put a bit of legislation in something that is for an entirely different reason is not the way to make forest policy.

You need to not only look at the grander picture and have hearings that address all of the issues, but you cannot make a cookie cutter approach to solving forest problems for the same reason you heard here in California. Well that applies across the nation.

You have greatly different conditions in the national forests across the country, and I think that it is very difficult for the Congress to address the real needs of the forest everywhere and in any one bill.

Mr. RIGGS. That is what I call a very qualified answer. Mr. Bower, let me suggest that you should stay for the last panel of the day because I will have more to say about the President's position and the actions of his administration on implementing the will of Congress, the elected representatives of the people.

But let me ask you, you actually said in your testimony, quote: "Option 9 will provide more jobs than the salvage timber rider." Do you truly believe that?

Mr. BOWER. Oh, absolutely correct.

Mr. RIGGS. Is your organization an Option 9 grant recipient?

Mr. BOWER. No, I do not have any—

Mr. RIGGS. Mr. Pace, are you an Option 9 grant recipient?

Mr. PACE. No.

Mr. RIGGS. I would like to ask you a question to make sure I understand your point. Are you actually suggesting that Option 9, a Federal tax payer funded program, is the way to create jobs in our resource dependent communities of Northern California?

Mr. BOWER. I am saying that Option 9 moves us toward sustainable science based management for the national forests.

Mr. RIGGS. That is different, sir.

Mr. BOWER. It is not different.

Mr. RIGGS. Mr. Bower, let me interrupt.

Mr. BOWER. You have to get to there.

Mr. RIGGS. We are getting short on time. Mr. Bower, you are suggesting though, by your testimony, that Option 9 will create living wage jobs. Is that correct?

Mr. BOWER. What I said is that Option 9 will provide for more employment than the salvage rider will. And the reason for that is that it will set us on the course of sustainable jobs, not a flash in the pan that the salvage rider will be.

Mr. RIGGS. Mr. Chairman, may I ask unanimous consent for just one minute to give Mr. Ostrowski to complete his comments.

Mr. COOLEY. Yes, you may.

Mr. OSTROWSKI. Congress definitely has the right and the obligation to set forward policy. And I think you need to evaluate where the existing policies have gone and whether or not we need to adjust the overall forest management policy. But I think your salvage bill was an emergency situation.

We have to realize that this is not something that can be debated for years. It may take a long time to fully evaluate forest policy. But this one aspect of it is very important to move forward on.

And if I could just answer one of your questions that you had earlier about the amount of salvage in the Klamath National Forest, at least. They are estimating in their figures, these are the figures they gave to Congress earlier in the year during the salvage

debate, they have over 200 million board feet of dead merchantable timber within roaded areas on the Klamath National Forest.

Mr. RIGGS. That is an annual figure?

Mr. OSTROWSKI. No, that is what they currently have in the back log. If Mr. Pace's one percent is close, that would be over 100 million board feet based on their current inventories.

Mr. RIGGS. One other question in our remaining time, and that is, I want to make sure I understand your testimony.

You testified that that MOA is actually impeding implementation of the timber salvage law, is this true?

Mr. OSTROWSKI. The way I understand how that MOA is directing the foresters to still follow all the processes and review and assessments needed under the current forest plans which are Option 9 plans, that those are impeding the rapid salvage of some of these areas.

And my example was just one of the many, I think, that are out there of where it is going to take a long time to do the assessment in order to get to the salvage.

Mr. RIGGS. Thank you for your testimony. Thank you, Mr. Chairman.

Mr. COOLEY. Mr. Longley has asked for additional time.

Mr. LONGLEY. I just want to, particularly with reference to your comments, Mr. Bower, I just want to read into the record from the Memorandum of Agreement on timber salvage the language. It says, "The purpose of this MOA is to reaffirm the commitment of the signatory parties to continue their compliance with the requirements of existing environmental law."

Whether or not you are right, sir, is frankly irrelevant to the discussion because the administration has refused to acknowledge the provisions of the statute. And I would submit that that is one of the reasons that this hearing is being held. They are not only dragging their feet, they are placing them in concrete.

Thank you, Mr. Chairman.

Mrs. CHENOWETH. Thank you, Mr. Chairman. To Mr. Bower's comment and I kept hearing this comment with some of the other panel members that the process was not open. And I do want you to know that when Public Law 104-19 most specific, the salvage sale portion of that, was brought up in the Resources Committee it was a very open process.

It honestly was not done through the appropriations process. We had nine hours of testimony. And there are 300 pages that I hold here in my hand of testimony. So I do want you to know that it really was a very open process.

And the chairman and this committee certainly do not like to see new authorizing legislation that authorizes new policy to be brought out in the appropriations process. We agree with you on that. And we are adamantly opposed to that because we believe that without regard to your personal feelings, they should all be taken into consideration through the proper process, the proper hearing process, and be regarded at that point.

And Mr. Pace, I want you to know that the reason that we are asking for who is funding some of the organizations is that if when Congress establishes a public policy, if through environmental lawsuits, and I do not know whether you are involved in that or not,

but if through activist, activities on the forests, that public policy is being diverted outside of congressional authority, we want to know why is it happening and who is funding it.

And so that is the reason that I ask. And one very important thing that recently came out was the GAO audit that said that the government spent \$1 billion more to log national forests over the past three years. And the reason was that the Forest Service actually took in about \$3 billion for the timber that they sold and it costs \$2.7 billion to include reforestation, road building, erosion control and bidding processes.

But it cost \$1.3 billion for environmental impact statements and court battles as well as mapping, planning and transportation. And so all of these—when public policy is established after the fact, outside of the open public hearing process, that is when nothing gets done and that is why we are inquiring in the manner that we are in order to bring all of the parties together. Find out whose interests are being addressed here and when can they properly be addressed so we do not find ourselves in a process of paralysis analysis after Congress has passed the law.

So I wanted to be sure and get that on the record so that you would understand. Thank you.

Mr. COOLEY. One last comment, my prerogative. Mr. Bower, Option 9 is still in effect. The timber salvage bill did not predicate Option 9. It is still there. So by passing the timber salvage bill, we did not wipe out Option 9. So Option 9 should be clicking along and it is not.

So I just wanted to tell you they did not change anything. It is still in place. It is still doing whatever it did which is nothing. It is still there.

I want to say another thing, too. When I opened up the meeting I talked about receiving information from agencies that we could verify and that they should be true and correct. For the record, because we are hearing a lot of things, I want to tell you about in region five, which takes in the Klamath National Forest, the annual mortality rate, now this is from the U.S. Forest Service, is 135 million board feet in 1995. 135 million board feet is the mortality rate in region five which is also Klamath National Forest.

In 1995 salvage sold up to this point was 15 million board feet. There is over 100,000 acres of Klamath National Forest are dead and dying. You can put that in the record. That is from the U.S. Forest Service.

I want to thank the gentlemen of this panel. I really appreciate it. You are excused, thank you very much.

Panel three please, Norby, Molen, Nelson, Henson and MacMullin. Mr. Norby, your five minutes.

STATEMENT OF JON NORBY, VICE PRESIDENT RESOURCES, NORBY LUMBER COMPANY, INC.

Mr. NORBY. Thank you, Mr. Chairman, and task force members for allowing me to testify today on the Forest Service timber salvage legislation and forest health.

First, I think it is important for you to understand the effects of the forest service management policies have had on my family, my community and Norby Lumber Company. Norby Lumber Company

was started in 1946 by my father Edgar Norby. Our company was a small family business that purchased, harvested and manufactured Federal timber of the last 49 years.

Since 1982 my brothers and sister and I have operated a sawmill in Modera, California. And we produce approximately 25 million board feet of timber annually.

On Tuesday of next week Norby Lumber Company will be auctioning its entire facility in Modera. We closed the sawmill in June of 1994. That decision was not one that we willingly made, however, there was no alternative due to the lack of timber supply from our national forests.

Historically, the national forests in our area provided us with approximately 95 percent of our raw materials. Reduction in timber sales from the Sierra National Forest from the historical average of 135 million board feet to the current volume of nearly 40 million board feet annually has caused the closure of not only our mill, but two additional mills in our immediate area.

One of the most difficult days of my life was when we informed our employees that we were going to cease operations. As a tribute to the quality of the six former employees of Norby Lumber Company, I would like you to know that on the last day of operations, those people worked together to produce the highest production day in our history.

When a business is forced to close due to market and other economic circumstances, we tend to say, well that is business. However, when a business such as ours is forced out of existence by government policy and bureaucratic mismanagement I think that is wrong. For years we and our employees worked hard, provided for our families, and paid our fair share of taxes.

We produced the products that are necessary for our society's survival, and we are proud to have been part of the timber industry.

Is it good national policy to destroy people's livelihoods? Is it good national policy to drive up the trade imbalance? Is it a good national policy to destroy the infrastructure of one of the nations most valuable industries? And is it good national policy to allow our national forests to become unhealthy and unproductive?

From listening to you and your comments, I think that your answers to those questions will be no. And if that is the case, I have a few constructive ideas that may be a help to us.

The southern Sierra national forests, about which I am most familiar, are suffering. Forest Service management policies have over the last 90 years have allowed these forests to become overgrown. The problem is not too trees in our area it is too many trees.

Fire suppression has been both good and bad. The good that it has saved a lot of lives, saved a lot of property. But the bad part is that these fires have allowed for a massive concentration of build up of vegetation and dead fuels. These fuels are in the forms of both green dense vegetation and dead wooded materials.

Excess fuels greatly increase the risk of the catastrophic fires that were spoke about area. And they can destroy not only the flora and fauna, but actually they can damage the soils so it will be many, many years before forests can be renewed.

Excessive vegetation increases the risks of these catastrophic fires and is a major contributor to the mortality of our green timber during periods of drought. As trees and brush compete for the available moisture during dry years, trees become weak and vulnerable to disease and insect attacks. And this is now the typical condition on the southern Sierra forests.

So what do we do about it? An intensive logging program. A salvage logging program that reduces the dead fuels if necessary. Fuel reduction should be accomplished through thinning in conjunction with a greater timber sale program than we have experienced in the last few years. And investments must be made to mechanically dispose of fuels and reintroduction of prescribed fires and the use of controlled burns.

It is too late for us and our former employees and the hundreds of sawmills in the west that have closed in the last ten years. Here is an example of the last two months auction brochures for sawmills in the west.

The devastating effects of mill closures on small communities such as my home town of North Fork are real. And even though the Forest Service through the 1990 farm bill has spent hundreds of thousands of dollars on our community, not a single new business or a single new job has been created.

Government policies and the overwhelming number of agency regulations are entirely to blame for these social catastrophes.

In conclusion, the losers in this gloomy picture are our forests themselves and all of those that live in them as well as American public. The winners are those foreign countries that now find a market for their wood products to meet our demand.

Thank you.

[The attachments to Mr. Norby's statement were placed in the hearing record files of the committee.]

Mr. COOLEY. Thank you, Mr. Norby.

Mr. Molen.

STATEMENT OF KIRBY D. MOLEN, TIMBER MANAGER, DINUBA TIMBER INDUSTRIES, INC.

Mr. MOLEN. Mr. Chairman, you will have to bear with me and members of the committee. I am nervous as a public speaker, so please bear with me. Again, my name is Kirby D. Molen. I am the timber manager of Dinuba Timber Industries. I am a registered professional forester in the state of California.

Just as a little bit of background. Dinuba Timber Industries in 1993 had five sawmills, three of the them in the state of California, one in the state of Oregon, one in the state of Montana. Currently three of those sawmills are closed. One is sold and has been sold to a competitor and is struggling. The other one in Townsend, Montana is open, functioning basically on our own timber land.

I am reminded of these mill closes every day because my office, I am the sole employee left in the state of California for Dinuba Timber Industries. And one of my jobs is to oversee the dismantling of those two sawmills.

We closed these mills prior to the 1994 elections at which some of you were elected. And I applaud that, however, I am not even sure that the legislation that you proposed would have been able

to keep our mills open due to some of the things that we have heard here today about the implementation of the process.

I do have to give the Forest Service some credit. On the Sierra National Forest we have recently had a 20 million foot fire salvage that took a year to put up, but has now been sold and is being operated on as we speak. And part of the reason that it was put up was due to your legislation. So in some cases it is working.

However, I do have some suggestions where perhaps it could work a little better. The first thing I think is broader interpretation of salvage. I think that perhaps the State Forest Practice Act has a real good definition of what salvage is and it includes decadent timber also which is trees that are in the process of dying, that have not died yet.

And I think that is one way to implement, perhaps, maybe include more volume into the salvage program.

The second thing, the second input I have would be streamlining of input of what I call ologists, biologists, hydrologists, ecologists. I sit on a planning commission in the county that I am a resident of and I know that the comments that we receive from some of these specialists are time sensitive. And if those comments are not in, then we assume that there is no concern.

So I think that the people producing input need to be time sensitive to the process. They need to respond quickly.

The third thing that I see is we need leadership in the decision-making process. A lot of times these timber sales are put up by scoping teams or focus groups or whatever. I believe that there needs to be one, there needs to be a hierarchy of leadership where you have decisionmakers who are able to take the testimony or the comments from specialists and implement that on a timely basis as opposed to a whole group working in order to implement a one single project.

The California Spotted Owl guidelines are just killing us also. It would be nice if there were moratorium on those guidelines, the CASPOW guidelines.

The last ability that I think would be, or ability to implement is what I call ability to terminate, ability to reward. And in my opinion, the Forest Service does not have the ability to terminate people. As managers that takes, well that is a significant thing that you need to have.

You also need to have the ability to reward and the ability to terminate. I guess I would sum it up as accountability needs to be demanded, required and rewarded.

And I guess my final comment is I would like to thank this committee. I am not a smart person and I am not an important person. And it is this committee and people like you in Congress who are looking out for people like me, who do not understand the process, who do not understand the big words that people use. And I think that that, I probably represent your standard mill employee, maybe your standard logger.

The process is not easy for people like myself. And so in closing, I guess, I would just thank you for watching out for people like me.

Thank you.

[Applause.]

[The statement of Mr. Molen may be found at end of hearing.]

Mr. COOLEY. Thank you very much.
Mr. Nelson.

STATEMENT OF TOM NELSON, REGISTERED FORESTER, STATE OF CALIFORNIA

Mr. NELSON. Mr. Chairman and members of the committee's task force, Congressman Herger, my name is Tom Nelson and I reside in Redding, California. This is my home town. I am a registered professional forester in this state and I am also a member of the California State Board of Forestry. I am speaking today in my capacity as director of Timberlands for Sierra Pacific Industries.

Sierra Pacific is a privately held, family-run forest products business. We own and operate 13 sawmills, two millwork facilities, six cogeneration powerplants, and one window assembly plant. We currently employ over 3,000 people.

We also own and manage approximately 1.2 million acres of our own private timberlands within Northern California. These timberlands are managed on a sustained yield basis and they produce about 40 to 50 percent of our needs, our annual log supply needs. We must rely heavily on the United States Forest Service timber sale program for the remainder of our needs to run those facilities.

With that brief background, let me begin my remarks on behalf of Sierra Pacific.

The United States Forest Service has a very fine and a very well-deserved reputation for responding to emergencies, especially wildfires. It was our hope that this agency would respond in their typical fashion once Congress and the President recognized the salvage situation in the west as a true emergency. Unfortunately, that has not been the case.

Progress by the U.S. Forest Service to remove dead and dying timber in California has been hampered by a number of barriers. To their credit, the agency has identified several of these barriers, the administrative impediments, and they have some suggested actions to overcome that. However, there remains one barrier that they may not be able to overcome—the mixed messages that they are getting from the U.S. Congress versus the Clinton Administration. Let me explain this a little bit further.

It is our belief that the 104th Congress clearly directed the U.S. Forest Service to expedite the process it uses to sell dead tress for the next 18 months. This is to be achieved not by trying to end run any of the existing statutes for environmental protection, as some have claimed. Rather, for a very short duration, the U.S. Forest Service is being told by Congress to follow only those policies which are set in law and not those self-inflicted internal policies that tend to be cumbersome, time consuming and counter productive to the goals of this amendment.

On the other hand, and this is where the Forest Service gets caught in the trap, President Clinton has directed the agency to take a much different approach. Even though the President signed into the law the very amendment we are speaking of today, he went on to issue further administrative directions that seemingly contradict the original intent of Congress. In essence, the President has urged the U.S. Forest Service to continue business as usual

and then even added another layer of administrative, multi-agency review.

Given this conflicting message, it is not surprising to us that the Forest Service seems to be heading in a number of different directions as it tries to implement this emergency salvage law.

Another point that I want to put in here is a point that was already brought up by Congressman Herger and Congressman Radanovich. And that is that salvage logging alone will not solve the entire forest health problem in California. A more complete solution will take a very comprehensive strategy, and I reference the one by the Quincy Library Group, that also treats stands to prevent them from ever becoming a forest health risk, preventative medicine if you will.

If we simply wait until trees die before we harvest them, and then only remove one-fourth or one-third of the dead trees which is the Forest Service track record, we will never reverse the ongoing trend of fuels build up. To really improve forest health, and we believe that that was the primary intent of Congress in passing this amendment, the Forest Service must remove more of the dead trees than they have in the past as they also begin long-term strategies to prevent future salvage emergencies.

Having just said that, we also believe that salvage of dead trees as authorized by this law is a step in the right direction and it will help California's rural timber dependent communities but only if the Forest Service implements the salvage amendment as Congress intended and to which President Clinton agreed when he signed it into law.

I see the yellow light. The final point I want to make is a request for this task force to continue its oversight into implementation of the salvage bill.

You must understand that salvage logging of dead timber on our national forests is not a new concept that originated with this bill. It is an ongoing program aimed at staying ahead of declining forest health.

However, the Forest Service has a multitude of mandates just like these salvage targets and they are not keeping up with the dying timber along with everything else they are expected to do. It would be our hope that your continued oversight will help them focus their efforts on what we believe should be their highest priority, forest health.

In the long run, other resource management goals can never be realized anyway, without first restoring the health of these forests.

Thank you.

Mr. COOLEY. Thank you, Mr. Nelson.

Mr. Ryan Henson.

STATEMENT OF RYAN HENSON, CALIFORNIA WILDERNESS COALITION

Mr. HENSON. I thank the committee for this opportunity to speak today. I represent the California Wilderness Coalition. We are a state-wide alliance of 80 conservation organizations. And also just for the record, I almost feel beholden to say this, though I was not going to because, well I thought it was irrelevant, personal details, but I am from a timber family.

My father has worked in the industry for over 30 years in Mendocino County, California. I am glad Congressman Riggs came here today because he can relate to this. We went from one mill closure to another from Ukiah to Potter Valley to Willits, to Covalo back to Ukiah then to Potter Valley and now my dad is the security guard at the closed Louisiana Pacific Mill in Covalo. His job is to drive a golf cart around three piles of sheet metal to make sure no one steals any of that sheet metal. Not much of a job.

What got me involved in the environmental movement was seeing the over cutting done by the company that employed my father and my mother and both of my brothers, and I thought, the company that would employ me some day. But I started looking around at hills and seeing that there were not much opportunities out there because of what they were doing.

And as Congressman Riggs knows they moved a lot of their works down to Baja, Mexico and that was the end of that.

At that time as a sportsman and a hiker and someone who just loved where I lived and the mountains around us, I resolved that that would not happen to our public lands. And that was decade ago. And since that time I have tried hard to promote protection of our old growth groves, our sensitive watersheds and roadless areas in our public lands.

I have never been anti-logging. Our organization and myself individually, we only seek to protect sensitive areas like roadless areas and like our last old growth stands while allowing wise, sustainable forestry elsewhere.

Our objections to conventional salvage programs arise from the fact that even before the passage of the amendment, many salvage sales remove healthy trees, are tax payer subsidized, circumvent environmental law, target roadless areas and old growth groves and often worsen the fuel levels and forest health conditions they are extensively meant to improve.

Examples of such destructive salvage sales include the Barkley fire salvage in the Lassen National Forest and the roadless area portion of the Cottonwood salvage sale in the Tahoe National Forest. We do not oppose of the whole Cottonwood salvage sale, but the eight percent that is an a roadless area, the only part in old grove.

There are ways in which salvage logging, and more importantly, thinning, may have neutral and, perhaps, positive effects on fuel loads in forest health. Instead of promoting salvage, however, we ought to promote the thinning of young dense stands. We also need to clean up the slash left behind by both thinning and salvage.

Unfortunately, salvaging logging is all too often a stop got measure that fails to reduce stand density significantly while leaving logging slash behind. This increases fire danger and it does not decrease it.

The salvage amendment and dealt a blow, in my view at least, to the emerging consensus in California between environmentalists, the timber industry, the Forest Service and other interests over forest health issues. Over the last year and a half, for example, the importance of thinning and prescribed fire to the forest health has been recognized than ever before.

Prior to the passage of the salvage amendment, it was conceivable that a compromise would emerge between all side, have preserved roadless areas and old grove forests, while allowing logging, thinning and biomass treatments in dense young stands and especially in the rural urban interface. Prescribed fire would be used in more sensitive and isolated areas to restore forest health.

As this compromise emerged I saw fighting between the timber industry and the environmental community at its lowest level ever. And over the last few years we have only, and I mean we as the environmental community, have appealed about two percent of all sales. I say about because I cannot tell always when you look at the sheer number of appeals who is just doing a NB thing or who is with an actual environmental group.

I am still convinced that if we all sit down together, we can arrive at a series of compromises that, while not satisfying everyone, would accomplish all of our major goals. This is certainly true for California. OK. And I am not a cosmopolitan guy. I have not been all over the place, but I know Northern California pretty well and I think that that is possible here in this state.

I urge you to try to bring people together on this issue. Unfortunately, it seems like people spent too much time inflaming passions into vision. And that is what I saw coming out of the salvage rider and I can explain that to you later.

[The statement of Mr. Henson may be found at end of hearing.]

Mr. COOLEY. Thank you, Mr. Henson.

Mr. MacMullin.

STATEMENT OF ROBERT MACMULLIN, LICENSED PROFESSIONAL FORESTER AND TIMBER OPERATOR, STATE OF CALIFORNIA

Mr. MACMULLIN. Good afternoon, Mr. Chairman, and task force members. Thank you for holding this hearing. My name is Robert MacMullin. I am a licensed professional forester and a licensed timber operator here in the state of California. I am the owner of MacMullin Forestry and Logging. I employ seven men logging in the summer and planting trees in the winter.

I have a B.S. degree in forest management from Colorado State University and have over 22 years of woods experience, 18 of those years spent here in Northern California.

In my experienced opinion, the private timberlands of Northern California are being managed by responsible good stewards. Obviously this same type of care and concern should be occurring on the public lands.

For this task force I have considered the management on the private forest lands as compared to the public lands in Northern California. And I will speak plainly.

Number one, to illustrate a specific example of what is wrong with the management of public forest lands; and two, discuss what I feel is the cause of the problem; and three, discuss the solution to the problem.

On the surface, it is difficult to determine what has gone wrong. Let us begin with pictures which show large blown down timber which I have submitted to you in the written testimony. And those pictures you have, three of them specifically that are related to

timber that were blown down in a wind storm of January 1993. Those trees have yet to be salvaged. They are still down timber.

And there is a definitely problem. These trees are located on the Hay Fork Ranger District of the Shasta Trinity National Forest about 75 miles west of Redding.

All of the valuable material in these photos is located within a few feet of a two lane paved road. There would be no new road construction required, no expensive logging system required and essentially no environmental impact when salvage logging would occur to remove this valuable resource. The Forest Service has made little effort over the last two and a half years to remove these valuable down logs.

In the Spring of 1993 this valuable timber could have generated between \$500,000 and \$750,000 to the Forest Service. Definitely, it would not be a below cost sale. It would have returned enough money to Trinity County to pay for two full time teachers. This timber is still economical to salvage, but the net value to the Forest Service now is approximately \$50,000 to \$100,000. So there has been a great reduction in the value due to the deterioration in the last two and a half years.

As a result, there will be less jobs for the woods workers, and the mill workers, less local business, less country receipts to be used in the education of roads, and less potential for resource enhancement.

To add insult to injury in this situation, the Hay Fork district ranger in charge during this time period has now been promoted. It is unbelievable.

The cause of this great waste and other similar situations I believe is due to the micromanagement by the administration, the Washington office, the regional office and including this MOA, this agreement on timber salvage which leaves the local resource professionals and decisionmakers complacent.

They are not implementing sound stewardship. The reason is that they know that their knowledge and expertise will not be considered in decisions that are made at higher levels. The current administration is very blatant about concentrating power and decisionmaking authority at the highest level. And previous administrations have not also been innocent.

A more detailed analysis of the problem is described in the written testimony which you have. And due to the time constraints, I will confine the remainder of my testimony to the solution.

When I read the salvage amendment, I felt that the United States Congress believes that change is necessary. I also felt that the section of the amendment that dealt with contracting the planning and preparation of the salvage activities provided a very valuable solution to the complacency problem that now exists in the Forest Service.

The regional office as well as the local Forest Service officials, they discourage contracting. The primary excuse is, the contractors cost too much money. What they fail to consider is that the private sector is significantly more productive than the Forest Service. A private consultant could plan and prepare this salvage that I am talking about here that has been laying down for two and a half years for about a third of the Forest Service costs.

And I believe on the remainder of the forest we could do it for that. The private forest consultants could plan and prepare a project in a fraction of the time it takes the Forest Service to plan and prepare a similar project.

Contracting salvage sale planning and preparation would almost eliminate the deterioration that occurs while the Forest Service slow winds through their planning process. If the planning and preparation of the salvage material was contracted, the result should be more money would be returned to local counties that desperately need the money for schools and roads. More valuable material being offered to local economies, less salvage material being wasted, insect infestation is reduced rather than increased, fire hazards dramatically reduced, reforestation in hard hit areas quickly initiated. This greatly reduces planting cost and significantly increases growth.

I eliminates—I think we can eliminate the below cost timber sales program. The harvesting and processing of sound salvageable material requires significantly more manpower than it takes to pile and burn rotten unused timber.

I know that the new majority in Congress has inherited a huge mess and you folks are trying to solve it. I also know that we need to change the way our public lands are managed. And we need change now.

Thank you for inviting me to speak.

[The statement of Mr. MacMullin may be found at end of hearing.]

Mr. COOLEY. Thank you very much. Mr. Norby, I mean, your small community and listening to your testimony. Could you give me an idea of financially what you contribute to your community? Is that available? Would you mind telling us that? I mean, in your small community, you are the main employer, is that correct, basically?

Mr. NORBY. In the small community which I live there was a mill owned by Mr. Molen's employer. Our facility was located in the San Joaquin Valley, 40 miles away, in the metropolitan Fresno area I should say.

But our annual payroll is about \$2.1 million. The 25 million board foot volume that we harvested off Federal lands created somewhere, and I could not tell you, it would depend on value, but at 25 percent reserve funds that went to the counties it was significant to the rural communities in the area.

Mr. COOLEY. Thank you. Mr. Nelson, very seldom do we have somebody that manages 1.2 million acres of land. Could you tell me in your management of your land, what is your mortality rate as a private operator of the 1.2 million acres of land and timber?

Mr. NELSON. No, I probably cannot tell you exactly what the mortality is. What I can tell you is that we are very aggressive at harvesting that mortality as quickly as possible so that we do not lose any value on it. On private land it is much easier in the state of California where all our lands are because there is an expedited procedure which I think was what you guys were trying to set up on the Federal land.

So I do not know what the exact number is and it varies year by year. We have also gone through the same eight year drought

that the Federal forests have, but we have aggressively tried to remove as much of the mortality as we can. Now we do not remove all of the mortality. And an earlier comment was made that there are dead trees on private lands.

Yes, there are dead trees on private land. There are pieces that are not economical as was brought up. There are also trees that are left out there because we must comply with a lot of the same laws that the national forests must, the Endangered Species Act, for one.

Mr. COOLEY. Well could you give me an idea then of what percentage of your total production is drawn for mortality, you might know that? Do you know if it is ten percent, five?

Mr. NELSON. It is five or less normally. We do have events, the Fountain Fire was mentioned earlier, we lost 10,000 acres in that event. So there was 100 million feet of timber that was on our land that was harvested within one year.

So it varies. When you have a catastrophic event, all of a sudden a large percentage of the logs going into your sawmills is dead timber. There is a variability involved, but normally it would be much less than five percent.

Mr. COOLEY. OK. Mr. Henson, I looked at your testimony here. And you make a statement about Public Law 104-19. You said it dealt a blow to emerging consensus in California between the environmental, the timber industry, the Forest Service and other interest. Can you tell me what you mean? How can a law that has passed that is trying to enhance the ability of the U.S. Forest Service and agencies to expedite the removal of dead and dying timber, and therefore, create not only wealth for the community in the way of jobs, etc., deal some kind of a blow to this group?

We did not take anything away. We just tried to give them some mechanism in order to go in and help properly salvage and properly manage the forests, and therefore, maybe bring health to the forest. How did that adversely effect all of these special interest groups?

Mr. HENSON. I am glad you asked that because it is actually what, I believe, either Felice Pace or Joseph Bower said earlier. And that is, in our view at least, the Forest Service started chasing salvage to comply with the bill.

Mr. COOLEY. No, no. They had Option 9 already in place.

Mr. HENSON. Oh, I am not talking about that.

Mr. COOLEY. But they do not start chasing the salvage. Go head.

Mr. HENSON. May I respond? Their priorities, in our view, OK, changed. We wanted them to look at what are called multiproduct sales. Those are sales where you salvage, you thin, sell biomass, if possible, you sell chips, you do all of these things. These tend to be in eroded areas. These tend to be areas that are easily accessible. That is what makes that kind of sale economically viable.

They are sales that kind of make everyone happy, really. When the salvage rider came along, you know, it sometimes seems you folks forget, it has only been around for a little while, OK. But we have seen them move toward large fire salvage sales more so than they perhaps would have before.

They might have deferred some of those areas, for example, the Dillon Creek area in the Klamath National Forest, and so now they are stressing salvage again.

To us salvage does not get ahead of the curve, it is behind the curve. It is always reactive. It is triage. We have to get ahead by reducing these density of small stands.

Mr. COOLEY. I should not take this time, but I want to just close by one question, and you do not even have to answer this. When you have an emergency and you have some value and you go out to clean up that emergency, therefore, bring the value back to all the public, do you really feel that is a wrong way to do it? That is the way I understood one of your comments.

Remember now, you talked about a fire. So they take their energy and they put it in the fire and they say we have to clean this up because there is only a certain amount of value left in this particular area for a certain period of time. And you find that objectionable, is that correct?

Mr. HENSON. Well, sir, there are two ways to look at the result of a fire. Ecologically, is it an emergency? I do not think so. Economically, for a timber dependent community, perhaps it is. That is the way you look at it I guess.

I look at it the other way. I do not think fire is an emergency. We all know we have to get fire back into our forests in a controlled way, hopefully, small fires as opposed to one big and trouble fire. And we have to quit punishing our forests with salvage logging every time they burn. Now that is the way I look at it.

That is not true of all forests, by the way. I am talking about old growth forests here. And that is what Dillon is. I should have clarified that.

Mr. COOLEY. Well if you are truly believing in environmental and ecology and the system, when you burn something, you destroy the habitat for all those little creatures. And the quicker you can put it back in there the quicker those little creatures are going to have a place to go.

I am sorry, my time is up. But I have a problem with your reasoning, but I respect it. Mrs. Chenoweth.

Mrs. CHENOWETH. I want to follow up on a statement that you made, Mr. Henson. You said that in certain areas we torture or punish our forests with salvage logging, and you mentioned in your testimony the Barkley sale that was devastating. What did you mean by we punish our forests with salvage sales?

Mr. HENSON. Well that was rhetorical flourish, but all I am saying is if salvage logging was necessary to save forests, we would not have any forests when white folks got here, OK. Our forests have been burning for millennia. They have been regenerating from millennia.

And we had the finest forests in North America long before salvage logging or any kind of logging came along. And when I look at the Barkley sale, for example, and see these massive Ponderosa Pine with ten percent crown scorch marked as dead, that is almost like a punishment.

Mrs. CHENOWETH. Do you believe that in ancient forests that the trees will live forever?

Mr. HENSON. Oh, no ma'am. I mean, all forests have natural rates of mortality and we have to look at areas that have unnatural rates of mortality, like the Tahoe Basin which is entirely composed of young trees.

Mrs. CHENOWETH. Thank you, Mr. Henson. Mr. MacMullin, you submitted some photographs with your testimony. Very good. You showed one—you have one photograph here that shows a dead tree. Did this die from old age or was it diseased or insect infested?

Mr. MACMULLIN. Additionally, in that photo, when the wind storm occurred and blew that large late stage timber down, old growth, you could see in the photo two large snapped off stumps. They are still standing in that picture.

Mrs. CHENOWETH. In this picture.

Mr. MACMULLIN. Directly adjacent—

Mrs. CHENOWETH. Yes.

Mr. MACMULLIN.—and parallel to that now dead tree. By looking at the photo and being out there and looking at it, insects have moved from the forest into that tree which did sustain some damage from the wind. And now it has succumbed to insect and disease damage.

So since the wind storm there has not been salvage. And now that there has not been salvage those trees that are remaining are in trouble.

Mrs. CHENOWETH. And this is very good testimony and very valuable. Thank you. I wanted to ask Jon Norby, would your company be operating today if the Forest Service had been able to follow through on the forest management plan?

Mr. NORBY. Well we certainly think we would be. The forest land management plan, the final draft, showed an annual harvest of 88 million board feet even though the preliminary draft was 125 million board feet which is very close to historical annual production which was certainly sufficient volumes to keep our mill going.

During the period between the draft plan and the final plan, the Forest Service set aside 72,000 additional acres of high quality timberland for fur-bearer habitat. And we did not even get an opportunity to comment on that. So that dropped the sales quantity and the forest plan in the final draft from 125 to 88 million.

Mrs. CHENOWETH. Fur-bearer habitat?

Mr. NORBY. Yeah, those things that wear hair. Different fur-bearing animals.

Mrs. CHENOWETH. And that was how much they set aside?

Mr. NORBY. 72,000 acres.

Mrs. CHENOWETH. And what counties were those in?

Mr. NORBY. Madera, Fresno and I am not sure if any of that habitat is in Mariposa County or not, I think not. But one of the things that really concerns me about what is happening with the dramatic drops in the harvest level is that the infrastructure that is like our sawmill and the loggers that supply our mill, those folks are leaving, dying or going on. And what is going to happen when we go through another drought cycle?

Where are we going to get the people? Where are we going to get the sawmill capacity to do anything with those events that are definitely going to occur in the future? We really damaged the infrastructure here.

Mrs. CHENOWETH. Thank you. Mr. Nelson, can you tell me the difference between a Federal Forest Service sale and a state sale here in California?

Mr. NELSON. Most of the private timber in the state does not come off of state lands. There is a large percentage in Washington and to some extent Oregon. In California, very little comes off of state forests, but I am speaking of the private forest lands which are very well regulated and heavily regulated in the state of California.

If you are talking, and I assume you are, specifically about salvage of dead trees, the difference is like night and day. And as I mentioned before I think this is what the committee and Congress was trying to get at. A similar approach where you could expedite to shorten the timeframe to recover the maximum amount of value in the material.

The state has a process which allows you to file in an abbreviated format the equivalent of the EIR in what you are required to do on private lands. There is an abbreviated format in case of an emergency. It is utilized on private lands in the state.

That is coupled with having a registered professional forester, you have had several of us up here today, that has to check off on all this, the conditions that go with this permit. It is really an exemption from a permit.

That does not say that you do not have to obey all of the other forest practice rules that the state has. It simply says that time is of the essence. You need to go and get this material before you suffer some great economic loss. And so while you are following the standard rules and it is being run by a registered forester, go ahead and start the process.

Again, I think, at least that was always our belief, that that is what you were trying to do on a national level with the salvage emergency. I did not quite work that way.

Mrs. CHENOWETH. Thank you. And, Mr. Chairman, I just want to say to Kirby Molen, your testimony was outstanding. Even though you may not feel you are accomplished in giving testimony, it was very good, thank you. Thank you to all of you.

Mr. HERGER. I would like to pick up right where Congresswoman Chenoweth left off and that is with you, Mr. Molen. I was very touched during your testimony. And you made comment to the many employees that you employ. And you mentioned that you did not think that you were very smart or very important.

But I would like to just make the observation that that is precisely the type of individual, like yourself, the type of American citizen like yourself that has built this country, that is the salt of the earth, that went out and took the risks that have made this country the very country that it is.

And respectfully I would like to say it is people like you who are the smart people and certainly are most important. So I want to thank you for that.

Mr. MOLEN. Thank you.

[Applause.]

Mr. MOLEN. Congressman, you could not have said anything nicer to me. Thank you. I appreciate that.

Mr. HERGER. You are very welcome. As I am sitting here listening to the testimony, and Mr. Henson, as I am listening to you, a very nice young man coming across in a very reasonable manner as have each of the other environmental representatives that have been here, you made the comment which was also, I felt, touching of your family, of your father, of being unemployed and moving from one mill to the other and finally ending up at a time when we are in such need of wood and paper products in our country that the only job he could find would seem to be not that meaningful a job guarding a pile of tin.

And then thinking about what you said about your concern about all the over cut forests. And relating to myself over the last nine years that I have had the great privilege of representing this area, and even very recently, of flying over and driving through our forests, and I have parts of eight national forests in the district that I represent, of seeing all these trees according to Forest Service data indicating that since 1928 that these forests are some 82 percent denser today than they were back in 1928.

And then thinking also, relating to the fact that we have some, I believe, 281 mills, such as the several, the four or five you mentioned, that your father worked for, in addition to the 29 that are in the district I represent, that have closed because they cannot get at these over dense forests, is unnatural by the way, very unnatural.

It is because we prevented forest fires over the last 150 years that we are now in a very, very unnatural state as I am sure you would agree. But yet we are prevented because of the lawsuits of people like yourself and the lawsuits of the other environmental groups that despite how reasonable you come across, the fact is that your groups are the ones that are preventing us from going in and attempting to manage.

Now this is my humble observation, but it is an overwhelming one.

[Applause.]

Mr. HERGER. So I have to state that it irritates me to hear the kind of testimony that you would give because I wish if only it were true. And I see those around you shaking their heads when you gave your testimony. That if only we could get together and talk we could work it all out.

Well I have spent nine years trying to work with groups, the groups, your groups, and others trying to work it out. And my personal experience is that we cannot work it out with you. Unless you get virtually 100 percent, that is the only way you work it out. So I find that tragic.

And I just have to correct the record of my personal observation. And I must admit my great irritation to hear this testimony as though you were working so with us when in reality my experience is that it is precisely the opposite that is taking place.

[Applause.]

Mr. HERGER. Now it is my time in my last minute. I would like to ask you, Mr. Nelson, I have flown over the forests that your company manages and it was the forest that you manage that I flew over here a couple of years ago. And Congressman Longley, I am not sure where your overflight was today, but you could literally

see as straight as an arrow the land where the Forest Service, Federal land that is being sued and prevented from managing by people like the California Wilderness Coalition and others that are preventing us from managing, and those of private property where there were green, healthy forests, as straight as an arrow where you had gone in and removed your dead and dying.

And yet, for whatever reasons, lawsuits I am afraid, other reasons, that now we see the national forest where we cannot manage it. I am not making this up, this is a reality. These are the facts where anyone will go out and observe.

I know my time has run out, but I guess in my question to you, Mr. Nelson, is what can you see, you mentioned in your testimony, self-inflicted internal policies of the Forest Service that are consuming and cumbersome. Could you elaborate just if I could have unanimous consent just for a few moments, if you could, just what you meant by this and what are some of these cumbersome and consuming type of regulations or whatever it is that is preventing us from managing the national forest at least a little bit like we are some of our private forests?

Mr. NELSON. I will try and I will try to be brief. What you looked at, Congressman, on our property next to the Forest Service property is basically the same type of ecological or silvicultural treatment that I think the Forest Service would like to do and knows they ought to do.

We have removed a large percentage of the salvage material as it occurs on our property. Then the second step is to thin the green stands. Try to reintroduce fires so that you can keep them maintained in that condition. It is better for the health of growing trees. It is also better for reducing the risk of forest fires.

That is the same exact thing. And that is over simplification. But it is the same exact thing that much of the national forests in the west need. However, when the Forest Service tries to implement the same type of procedures, that is where a lot of these barriers come in.

And I do not know the barriers nearly as well as the people within the Forest Service do. I would hope that you would ask that question of the final panel.

In my testimony I said that one thing that I think is constructive that they have tried to do is they have identified some of their own internal barriers. They have procedures that are in their regulations that are outside of the statutes as, I think it was Joan said earlier, there are no new laws that we are talking about since 1976.

Most of the problem has come from interpretation of law. A lot of the problem also comes from internal Forest Service interpretation. There are manuals that say you will do this, this, and this before you get to the final end result.

I had hoped that your direction and your focus in directing the Forest Service to get rid of a lot of that stuff would save a lot of time. It is not to this point. And they have not been able to get rid of these.

A good example is, just one that comes to mind right away, is that there is a procedure they must go through to talk with the

state historic preservation officer on archeological and historic sites. I am sure there are ways they could expedite that procedure.

A second would be their dealings with the Fish and Wildlife Service that they must do consultations for threatened and endangered species. There are probably a lot of ways that they could expedite that process. Some of them they are already trying. They know about some of them.

They need to do a lot more work and put a lot more creative thinking to expediting that procedure.

Mr. COOLEY. Thank you. Mr. Longley.

Mr. LONGLEY. Thank you, Mr. Chairman. Again, I want to complement all of the witnesses on the panel. I would like to ask—I just have a comment, Mr. Henson, and I have a question.

The first is I cannot speak to all your personal experiences. I certainly can express my empathy for the situation that confronted your father. And I suppose I would be willing to accept your explanation that his situation was the result of the greed of a company that, perhaps, and again, I am talking about accepting your characterization, that it was a result of greed if you will accept my characterization that greed or averse is not limited to the private sector.

[Applause.]

Mr. LONGLEY. And that we are dealing fundamentally, in some cases greed for money and other cases greed for power. In one way or the other it is the desire to have ones way. I was struck by the fact that you appear to have very little respect or regard for private sector.

Perhaps, and I will give you an opportunity to respond to what I am saying, and have equal disdain for, perhaps, the practices of the Forest Service. But having said that, and again, I am going to give you a chance to respond, you made the suggestion that we should be intervening more aggressively and earlier in the growth of the forest through aggressive thinning and weeding of young trees.

And I guess, you are certainly free to respond to what I said earlier, but I would be curious as to how you would accomplish that and how the bill for that would be paid.

Mr. HENSON. I feel a bit—first of all I should say that what our company did was, I have learned over time, was not representative of what most timber firms have done. And the people that I sit down and talk to like Big Valley Lumber over in Modoc County and others, Schuster Lumber in Mendocino County, you know these are good firms.

These are firms that are in it for the long-term. Our firm is not—well, our firm is still in it obviously.

Mr. LONGLEY. Just not here.

Mr. HENSON. Actually Louisiana Pacific is still all around here but they have changed their focus. Back in our day it was a saw timber outfit and now like a lot of outfits they use smaller material.

OK. How would these kinds of treatments be funded? Well these multiproduct sales tend to be more economical than conventional salvage sales. If you are only going to cut what is dead especially up in northeast California, I have been on the east side of the Si-

erra, on the Goose Nest on the Klamath, tends to be small diameter White Fir, predominantly.

That stuff, some of those sales are profitable, I guess, but for the most part it is not profitable unless you add other components such as green thinning. Those can sell themselves. However, now actually before this, I was talking to some folks up front, some people from industry, and we were all agreeing we have to find a way to create markets.

I guess that makes you shutter that you are creating a market. But somehow encouraging a market for the use of alternative forest products, there are some companies chafing at the bit to get to this stuff. For example, biomass plants. They cannot always do it.

Mr. LONGLEY. I would just like to interject because I had a chance to overfly a good part of the forest, and I saw the line that Congressman Herger referred to. A very clear distinction between management practices of a private sector landowner and candidly the absence of management on the public side.

Now I recognize that for some people and for, perhaps, everyone, some percentage of the Federal land ought to be just kind of left as it is and let it manage itself. But that clearly is not the policy that I think we want to embrace for the entire national forest.

I guess I am bridging to a point that was made by Mr. MacMullin that I would like to ask him to come in maybe after you are finished, which is should we be considering, perhaps, a form of contracting or subcontracting or agreements with the private sector whereby we might allow for management based on certain defined objectives, based on the fact that a sound policy that a conservative landowner could, in fact, realize a gain through effective management.

Because again, I will come back to, I saw a tremendous amount of cultivation, including a tremendous amount of thinning on the privately held land and very little on the public land. I think that that is unfortunate because of the fuel build up, the lack of management is a serious problem on the bulk of the preserve. Would you agree or any thoughts on what I am saying?

Mr. HENSON. I do not know which area you are referring to particularly, but the idea of reducing stand density in these crowded young stands is kind of a new thing silviculturally for the Forest Service. It is going to take a while for them to figure out how to properly manage them.

Mr. LONGLEY. But that is just the point I am making is, after how many years of managing the forest, they still have not learned that.

Mr. HENSON. Well they have been after the big trees all these years. And now if you guys want them to address forest health problem and if you want them to go to where the mortality is, they have to go to these density stocked which tend to be younger stands. I encourage you to look at the Tahoe Basin, all logged out. What grew up is densely stocked white fir. We now have mortality 30 to 40 percent.

Those are the areas that they, perhaps, ought to be treating. The problem is there is no money in it. It is hard to sell that stuff.

And by the way, we do not stop them from doing these things. Like I said, not just our organization, the environmental commu-

nity as a whole appeals two percent of the sales. We litigate, I believe, over .5 percent, OK. Now that is my best guesstimate.

And I was insulted, frankly, to be used as a punching bag like that. We do not oppose logging under national forest. We have not shut down logging under national forests. You know, I think it is bureaucratic bungling that is disrupting a lot of these sales.

I think it is a failure to find consensus objective everyone can agree on and then pursue them. And I think it is inflammatory rhetoric from otherwise responsible leaders who should be bringing people together instead of tearing us apart, you know, and attacking folks like me who want nothing more than to find common ground for the future.

Look, because of my background, I do not want people to be out of jobs, OK. On the other hand, I want our forests protected. We can have it both ways. When I see the work you do and the speeches you give it frightens me, because it seems as though you are going too far the other way, you are saying we have the jobs, but we need to maximize—

Mr. LONGLEY. I do not think you have given me any speeches. Although I am not sure you are talking to me.

Mr. HENSON. Oh, no, I'm sorry. I did not have a chance to respond to Mr. Herger and—

Mr. COOLEY. Well you will have your opportunity. Mr. MacMullin.

Mr. MACMULLIN. Yeah, if I could add on to some of this dialog then. On the Six Rivers National Forest, approximately ten percent of that forest of a million plus acres, just over a million acres, is basically slated for management meaning that there are trees that can be harvested.

The rest of that forest is off limits. And as you look at the rest of the national forest, there is differing fractions and percentages within those plans.

Now I believe that another comment was made by a person here on the panel that they are not trying to shut the forest down or stop these plans. I think that is absolutely not true because as we look at the Six Rivers National Forest and you say oh, how much timber has been sold in 1985 or 1980 or 1992 and you stop at 1991 and there was ten million board feet—excuse me one million board feet on a forest that had an average annual board footage sale of about 150.

So as we go through this timber management and they are fulfilling the 1996 Forest Management Act of sustained yield, let me bring this all the way around for you, please.

That on the public lands there has been the opportunities and the environmental organizations have shut the forests down without question through litigation of the Endangered Species Act or the Spotted Owl, and so has the Legal Defense Fund sued, these different things, and you get judges. So you have administration and you have judicial branches of government, executive and judicial branches of government that are shutting us down.

They do not care about the public. And you go into the communities where these forest lay, like Happy Camp, we heard Joan Smith talk about Happy Camp and the tragedy that has occurred

there. You go over to Hay Fork and you go to the—all through the drainage of the Klamath Province, up and down the river.

I have a county supervisor who has good documentation on what is the employment within the Trinity River Klamath Range, and they are 70 percent unemployed, people on welfare. These are families that do not have a viable means to say to their kids we are making it, we are paying our taxes, we are building homes.

And you go back to Hay Fork and say what is going on in Hay Fork? Those people are out of jobs. There is no work. Why? The forests are producing a net volume every year, an increase, go back to Six Rivers, I know that we are getting about 200 million more board feet every year that is in growth.

That is when we start talking about these small trees. They are coming on. The Forest Service has been cutting these trees. I can tell you the contract sale that came out. It was named a contract. It was small log thinning that Schmidbar Lumber Company on the coast bid on, I think they bought it.

So there has been this activity for a long time, green sales. And there is no reason why we cannot manage our forests productively. And I think that when we go to contract, when the Forest Service says, OK, here is what we have to do, these are the goals and objectives as you folks just laid out for us.

And you say, OK, the Forest Service will manage at the upper level, saying the district ranger, the assistant ranger. And you get right into it, and say, OK, we want this watershed where there is salvage there. We are going to contract to have salvage. These are the requirements, go to it. And they can do it.

You guys wrote the legislation to allow it. It will happen and this litigation to keep stopping people from having jobs and managing the forests and stopping the destruction that is occurring. You guys can do something about. I sure hope you do it.

Mr. LONGLEY. I understand, Mr. Henson, your comments were not directed at me, but I will come back to again what I saw this morning which was millions of board feet of timber rotting on the stump, being totally wasted. And it is clear that there has to be a better way of managing the forest than what we are seeing.

And, again, I will just come back to the fact that as important as these jobs are, if the jobs are the priority we have just stripped the public forest. But I think the public forest is a priority. And if we manage it effectively I do not think we are going to be worrying about jobs. Thank you.

Mr. RADANOVICH. Thank you, Mr. Chairman. Mr. Norby, the gentleman from my district, I am fully aware of what you have been through in the last couple of years.

I want to kind of go back and I think during the—it was the development of the 1992 forest, CR Forest Management Plan that reduced, that you referred to, that reduced the board feet take from 125 million board feet down to 88. In reality, it was less than that. Didn't it end up some where around 42 million board feet something like that?

Mr. NORBY. The annual harvest for the last three years and I do not know the exact numbers, but it is somewhere around 40 million feet annually.

Mr. RADANOVICH. OK. Jon, I was, as you know, a member of the Mariposa County Board of Supervisors. During that time we had the opportunity to comment on that process and found it to be quite a frustrating experience getting somebody to come up with an accurate number of what sustainable year was in that plan.

And I am assuming and I think that I am correct that that began the decline of your ability to stay in business was the adoption of that plan. Is that correct?

Mr. NORBY. Well that was certainly the first step. I think the final blow came when the Forest Service adopted the CASPOW guidelines. We could no longer see any opportunity for us to remain in business when that took place.

Mr. RADANOVICH. In your view, if you had to point the finger somewhere, was it because of lawsuit abuse on behalf of the environmental community, was it administrative abuse on behalf of the Forest Service, what was it? I mean, how did this happen?

Mr. NORBY. Well it was a combination of things. The first step back in 1984, the Wilderness bill. You know, our national forests, 42 percent of our national forest now is designated wilderness. And as the new forest plan showed we are not allowed to actually practice any kind of forest management on 23 percent of the national forests to start with.

And then you apply CASPOW on top of that, and we just run out of land. And the threat of litigation, the threat of appeal most recently from the Yosemite Area Audubon on sales has delayed, delayed, delayed. The Forest Service is attempting to cover every single base that they have for fear of an appeal or a lawsuit.

And in the meantime, folks like us are starved for timber.

Mr. RADANOVICH. Were you an abuser of the environment?

Mr. NORBY. Oh, yes, I certainly did. No, I think not.

Mr. RADANOVICH. I am asking point blank.

Mr. NORBY. I think not. I am proud of our record as loggers, as purchasers, foresters, timber and managing those contracts. I am proud of our record.

Mr. RADANOVICH. So for you and Mr. Molen, you consider yourselves good stewards and conservationists of the land, right?

Mr. NORBY. I would love to have an opportunity to manage that land, myself, personally. I think that there is a tremendous opportunity out there for contracting management of lands throughout the national forest. I think it seriously ought to be looked at as a way to get around this road block. As Mr. MacMullin was saying, give us the final, as managers of land, give us what the desired final condition is and let us go do it. I am sure we can get it done. We can get it done in a very cost effective manner.

Mr. RADANOVICH. Well to point out too, I want it in the record, that it was for Mr. Norby and Mr. Molen that we were trying to put together an emergency salvage timber harvest plan in the recession bill to get in quick. And I apologize, Jon, I am sorry it did not happen soon enough.

Mr. NORBY. Well actually the handwriting was on the wall long before the last election, but I do appreciate the movement. And I see light at the end of the tunnel now, I think Congress is taken a responsible action with the emergency salvage bill and I think

the Congress should look, and I am sure they will look, at forest management period.

As a whole, what should we be doing with our natural resources of our nation? We should be providing, in my opinion, those materials that help our society continue.

Mr. RADANOVICH. OK. I have a couple more questions. Mr. Henson, just a couple to get an idea of the make up of your organization. Would you say that, is there an urban rural split in the membership of your organization? What is the percentage if you had to say of your supporters that are from the city and those that are from the country?

Mr. HENSON. That is a good question. I actually am not sure about that. I have never sat down and figured that out.

Mr. RADANOVICH. OK. I have another question for you and that is, if you, we are talking perfect world here, if the Forest Service and the permits, the people that go in and log, there was a good relationship between the two, of those two entities, do you feel that there is a need for an environmentalist to be at the table during those negotiations? Or have any effect on that?

Mr. HENSON. Well I think it is always good to have parties at the table from various interests. And every time I have ever done that, we have always found a good compromise.

Mr. RADANOVICH. Mr. Norby, I have the same question for you. If you are practicing good stewardship and you are a conservationist and you are dealing with the Forest Service, do you feel that there is a need for an environmentalist at the table?

Mr. NORBY. I think those that show up at the table ought to have something at risk, something at risk. I question a lot of times what the environmentalist bring to the table other than stopping the process.

They have no livelihoods to protect. They have no employees to protect that we are discussing on these issues as far as forest management is concerned. They do not bring much to the table in my opinion.

Mr. RADANOVICH. Mr. Chairman, if I can just indulge for another minute. I just kind of want to sum it up, at least my feeling on this issue, because I think groups like your group, Mr. Henson, and some in the environmental community started up in the late 1960's or early 1970's, I think really had a point to make.

I think that at the time there was some pretty widespread abuses or lack of knowledge of what business did to the environment when the two intermingled. I congratulate you and your communities for what you have done as far as raising the specter of good stewardship and conservation over the last years.

But I do believe that there is a pendulum that swings one way and the other, and I firmly believe and would like to formally thank you and other organizations like you for doing that. But I am almost convinced because of what is happening with Mr. Norby and Mr. Molen here that you all have gone too far. You have made your point.

And I think what I would like to see is a more direct relationship between those people that are economically engaged in the use of the resources having more control over the resources that are being

given allowed to practice good stewardship and productability with the use of their natural resources.

I think the pendulum has swung way too far in the other way. And in the negotiation table I think, from here on out, the environmental community should have less of a role.

[Applause.]

Mr. COOLEY. Mr. Riggs.

Mr. RIGGS. Thank you, again, Mr. Chairman. And I might alert you that this is an excellent panel and we may want to go to a second round in the prerogative of the chair.

First of all let me say to Mr. Norby, Mr. Molen, Mr. Nelson and my good friend Mr. MacMullin, who is one of my closest friends and best advisors and a very important constituent, frankly, and I want to thank him from taking time away from his busy schedule and his family to appear here today and testify.

But I want to thank you gentlemen for being here because you put a very real human face on our concerns in Northern California.

And Mr. Henson, I want to suggest to you because I agree with Congressman Herger that you appear to be an earnest young man, that some of your political allies have been just a little disingenuous in recent years in their use of inflammatory rhetoric.

I hear a lot about wealthy corporations, corporate polluters, and other things coming from these organizations. If I scan down your letterhead here you have some of the most militant environmentalists in the country. Associatingly, you scoff, but I happen, in fact he was here earlier, I would invite him to identify himself.

I see Mr. McKay, Tim McKay, noted on here from North Coast Environmental Center. These are the folks that are causing rampant hysteria about the environment. You are playing upon the fears of urban dwellers. And you are fundamentally distorting the truth, in what appears to be something approaching a propaganda campaign, to be quite honest about it.

It is this inflammatory rhetoric that I object to. I also object to the little half truths, the shading of the truth. You implied a moment ago that Louisiana Pacific, a venerable company on the north coast, for which apparently your folks and some of your siblings worked, have moved their operations to Mexico.

That is fundamentally untrue. It is dishonest to say that their establishment of a single dry storage and planning facility in Baja, California represents a move to Mexico. That single facility has since been closed, I might add, that Louisiana Pacific is still here in Northern California as a major employer and provider of living wage jobs.

Secondly, Louisiana Pacific has already said years ago that faced with the dilemma of decreasing the cut on their own private lands or laying off people in the wake of the racheting down of timber sales on public lands, they chose to accelerate the cut on their own private lands. They have admitted their mistake, because they should have been, I guess a little bit more heartless as an employer and started laying off people sooner.

But that was the dilemma that Louisiana Pacific faced because we began fundamentally changing the way we manage public lands, as public values about those lands changed in the country.

So I think it is important to point, you know, perhaps to flush out your testimony just a little bit more. So, again, I want to thank these particular witnesses. I think they are very important to our hearing today.

I want to thank Mr. Molen for suggesting in his testimony that we place production quotas on upper and middle management employees and hold them accountable. You know, we were going to put timber harvest targets right in the legislation, but we thought we had reached a bipartisan agreement with the minority party in Congress and with the administration to move in the direction of certain salvage timber harvest targets. Therefore, we did not feel in the Appropriations Committee that we had to include those hard targets in the bill itself.

In hindsight, I think that was a bad mistake. I want to thank Mr. Nelson for directing our attention to the issue. I want to thank you number one for pointing out that we do need to look at selective harvesting of so-called green trees, it is a very important silvicultural technique. It is important not just for jobs, but also for forest health and fire suppression purposes.

But I also want to thank him for stressing in his testimony that the MOA and the conflicting signals that the Forest Service has received since the passage of this law is really impeding implementation of the law. And I want to make it clear to everybody here today that this comes from the President himself.

I was going to wait until a little bit later, but if the chairman and my colleagues will indulge me. I want to introduce into the record two letters, both written on White House stationery, both signed by Bill Clinton.

The first is dated June 29, 1995 and it is sent to Newt Gingrich, the Speaker of the House of Representatives. These two letters, I think, tell the entire story, because in the first paragraph of this June 29 letter the President says, quote: "I am pleased to be able to address my staff to the question of the emergency salvage timber sale program in H.R. 1944. I want to make it clear that my administration will carry out this program with its full resources and a strong commitment to achieving the goals of the program." That is June 29th.

The second letter, also on White House stationery, date August 11, 1995 to a constituent of mine, Barney Elking, manager, Northern California Log Scaling and Grading Bureau, the President, again, in his own words writes: "As you know, I signed the recision bill because it helps to reduce the deficit further while maintaining responsible investments of children, education, national service and job training. However, I oppose the salvage logging provision as it threatens to impair rather than promote sustainable economic activity."

Now that sounds to me a little bit like the slick Willy routine and a little bit like what we heard over the past week about how the devil made the President sign the 1993 tax increase.

[Applause.]

Mr. RIGGS. So, let us be clear—yes, I am sorry, my colleague, Mrs. Chenoweth reminds me it was actually the Republican Minority in Congress that made the President sign the largest tax increase in the history of the country.

[Laughter.]

Mr. RIGGS. But I wanted to bring that out because I do not think we should kid ourselves here today about the real impediment to using the salvage timber as a productive resource to create value added wood products or biomass energy to keep our people on the north coast.

I believe the environmental community does not negotiate in good faith. They are a classic example of an organization that is constantly moving the goal post at every stage of a negotiation when forced with the choice popped to us, we want to put jobs first not earth first.

[Applause.]

Mr. RIGGS. Mr. Chairman, I will withhold all of my other comments for the second round.

Mr. COOLEY. Without objection, Mr. Herger would like to have another minute.

Mr. HERGER. Thank you, Mr. Chairman. I apologize that my time ran out and I appreciate the graciousness of the Chairman, but I would like to allow you a chance, Mr. Henson, to respond, if you would like.

Mr. HENSON. Well it is hard being the odd man out and having to feel you have to respond to everyone's comments, but—

Mr. HERGER. You do not have to respond. But I did not have time and I did this in a sense of fairness.

Mr. HENSON. I appreciate that. I appreciate that. What can I say? We challenge individual projects. We challenge projects when they are in roadless areas. We challenge them when they are in concentrations of old growth.

We do not go around seeking broad-based injunctions. I got involved—I spent most of the last decade in my spare time, evenings and weekends, certainly not getting any money for it, I had regular jobs, you know—monitoring the Mendocino National Forest and how that area was being managed, OK.

I have been involved with the environmental movement at the institutional level for just a couple of years now, and in my time we have not went out seeking broad-based injunctions. We challenge things, like I said, at a project by project level that amounts to about two percent of all sales in California.

I do not know what is going on in Idaho or Montana or places like that. But that is what is going on here in California. I do think the various parties are closer than you folks make it sound. I do not think the differences are that enormous.

And just one quick thing for Mr. Riggs. I am not a liar, sir. We took that opening of the mill in Mexico as a real slap in the face after all the closes in Mendocino County.

Mr. RIGGS. That is not a mill. That is not a mill.

Mr. HENSON. Well the facility. We took it as a slap in the face and that is how we all saw it. And I guess that is just a workers perspective versus a white hats perspective, a manager's perspective.

Mr. HERGER. Mr. Henson, if I could take my time back. I did want to allow you that chance. I just want to mention that, I can only speak for California too, we are both in the state of California now.

Mr. Molen did not make up the fact that he had to close his mills. Mr. Norby did not make up the fact that he had to close his mills. Now as they stated, not because there was not a need for the product, but because there was not supply.

We did not make up the fact that 281 mills have closed. We did not make up the fact that 29 mills right here in my part of California that I represent have closed. We did not make that up.

Now I have sat for nine years in hearings in Washington. I have heard one environmental group after another get up and pass the type of legislation with support of groups like yours that have done this to us. That is why this has happened.

And even outrageous things like this, this picture that we heard of, Mr. MacMullin, was it you that brought this up? Where even trees that have been blown down right next to a paved highway cannot be removed because of the types of lawsuits and regulations that we have. This is what I am referring to.

And if I did get a little worked up it is because of all of the thousands of families who I represent that because of groups like yours and probably well meaning like yourself are doing this to us. And it is time that we turn it around and bring some sanity to the way we manage our forests.

[Applause.]

Mr. HENSON. Irreconcilable differences, I guess, at least between us.

Mr. COOLEY. We are going to close this. But anyway, I want to say one thing to you, Mr. Henson, is that if you read Public Law 104-19, wilderness areas are excluded in the salvage. And yet you keep referring back to wilderness areas. They were excluded in that process.

Mr. HENSON. Roadless.

Mr. COOLEY. Yes, they were. You keep saying, you know, we are going in and salvaging wilderness areas. And that is not happening. And another thing is that I still take objection to your statement dealing a dead blow to the merging consensus. I do not think there is a merging consensus here between the industry and the environmentalists. But that is neither here nor there.

I want to thank everybody on this panel. I think we have worked you pretty hard. But I think we really have obtained a lot of really good information. And I think that it will be very, very helpful in the future in some determination in looking at this legislation and I want to thank you very much for your time. You are excused, thank you.

[Applause.]

Mr. COOLEY. Panel number four. Mr. McFadden, Buckley, Blumberg and Wilson.

STATEMENT OF MARTY MCFADDEN, VICE PRESIDENT, PACIFIC WOOD FUELS COMPANY

Mr. MCFADDEN. Mr. Chairman and members of the task force, thank you for coming to Redding to conduct this hearing. My name is Marty McFadden. I am the Vice President of Pacific Wood Fuels Company.

Because of a lot of the things that are in my written testimony have been said by others I am going to deviate from it a little bit and just try to hit the high points and keep my comments brief.

Pacific Wood Fuels Company is a wholly owned subsidiary of Pacific Energy, which owns in whole or in part four wood burning plants in Northern California. Pacific Wood Fuels Company produces wood fuel and buys—

Mr. COOLEY. Could you speak up a little, closer to the mike, so the people in the back can hear you? Thank you very much.

Mr. MCFADDEN. I am sorry. Is this better?

Mr. COOLEY. Yes.

Mr. MCFADDEN. The Pacific Wood Fuels Company is a wholly owned subsidiary of Pacific Energy which owns four wood burning power plants in Northern California. Pacific Wood Fuels Company produces and procures the wood for those wood burning power plants.

Our fuel is waste wood, and our waste comes from many sources. It comes from agriculture. It comes from saw mills. It comes from urban wood and to a large degree it comes from the forests.

I note that we used to buy wood fuel from Stone Forests, from Roseberg in Anderson and from Norby but we do not buy it from them anymore.

We also have obtained fuel from fires such as the Cohasset fire, the Stanislaus Complex fire, the Fountain Fire and we expect we will get some from the Cottonwood fire.

Our power plants have reached the economic situation that Mr. Schultz alluded to which is that we are standard offer four contracts and our energy price has dropped actually because our plants are effectively off the standard offer for, three of them are, off the fixed price period of the standard offer four. And they have dropped from approximately 12 cents to two cents.

So that puts us in the situation of having to cut back because there is not economically available fuel at the time that our forests are awash in wood waste of all types. And this contradicts something that Mr. Henson said, certainly our plants are not chomping at the bit to buy biomass fuel when the fuel costs more than the value of the energy that it produces. We simply will not do that very long and stay in business.

As a result of the economics of the wood burning power plants, we have reduced our staff just this month. We are halfway through the reduction, actually, by 12 people. And next year we will operate at only 25 percent of our capacity, at least that is our current business estimate. That translates in full capacity years we would burn nearly 400,000 bone dry tons of wood waste that otherwise would burn in the open in the forest and we will go through about 100,000 of those tons.

Our expectations of the future is that we will continue to operate. And so will the other wood burning plants in some fashion, but output will be greatly reduced. And that, in effect, may take us out of the equation of being a contributor to the solution of the problems we face for forest health.

However, I think that there are some positive signs, and they have been mentioned by others, but I would like to reiterate them. Our wood fuels company, Pacific Wood Fuels Company, has signed

a contract with the Forest Service called the Westside Biomass Sale. And this is a service contract, but I believe it is a model for the way things can be done in the future.

We looked at about 1,600 acres with the Forest Service and we worked with them to determine the desired end condition of the work. And I refer those desired final condition, desired end condition mentioned earlier. And we agreed with them on 800 and were awarded 800.

We believe that another firm was awarded the other 800. The work of the Westside Biomass sale includes thinning, remove dead and dying and malformed trees and removing accumulated slash from previous operations and preparing areas for planting. It yields some products. Very few saw logs because of the nature of the land, some wood waste chips.

But the measurement criteria for success is number of acres treated. And that is a departure that I think could lead to a good forest management. Instead of having the criteria for forest health be the number of board feet, the number of tons of biomass, the criteria can be number of acres treated. And the acres selected can produce the products that our communities need to maintain their economic viability.

In conclusion, I would like to say that if salvage and forest health programs take on the dimensions that are appropriate to the danger of our forests then the sawmills and the energy plants in Northern California can call back workers rather than lay them off.

If the salvage and forest health programs take on the dimensions that are appropriate to the problem, then both the forest health and economic health will be restored in Northern California.

Thank you.

[The statement of Mr. McFadden may be found at end of hearing.]

Mr. COOLEY. Thank you very much.

Mr. Buckley.

STATEMENT OF JOHN BUCKLEY, EXECUTIVE DIRECTOR, CENTRAL SIERRA ENVIRONMENTAL RESOURCE CENTER

Mr. BUCKLEY. Good afternoon. Because many of the comments that I would be saying have already been covered and in terms of the time I will try to cut to the chase and screen down what I was going to cover.

My background is I was a forestry worker and fire fighter for the Forest Service for many years. I visited almost every national forest in the west and many of them even elsewhere in the United States and travelled throughout Western Canada and Mexico looking at forests.

I have been a local environmental leader for the last 15 years. And despite being perceived as an environmentalist because I was a commercial wood cutter and because I was involved in so many different fuel treatment and working with the Forest Service, I have been a strong supporter of thinning logging and salvage logging as a tool on already entered national forest timberlands.

Just a quick example. In our local national forest, the Stanislaus National Forest, the Forest Service was moving to do salvage log-

ging even before your bill went forward. In the last few years, since 1987, more than half a billion board feet of salvage sales have gone forward on the Stanislaus National Forest and the environmental community has never appealed or interfered with a single one of those salvage sales that has gone forward.

So, again, I cannot speak for environmentalists all over the United States, I can only speak for our area and for what I have done.

One thing that was pointed out is that there has been supposed interference by environmentalists in forest management. But one thing that we need to remember is we look at what the current situation is and for many years now clear cutting has been the preferred method of harvest on national forest lands and that is what concentrated all of the treatment into blocks.

So no one was thinning the forests in between the clear cut areas. And that is what has allowed many of these areas to build up so heavily with fuels.

So as a support of salvage logging and thinning logging I am deeply disappointed the legislation we are talking about here today requires a set amount of output because that is like telling a dentist how many teeth he should pull from his patients during a week. It is not letting those specialists that are closest to it, in this case, the Forest Service that I often—

Mr. LONGLEY. Mr. Chairman, can I ask a question quickly? I just want to make sure. The legislation does not make any specific reference to quotas, then right?

Mr. COOLEY. No, it does not.

Mr. BUCKLEY. The interpretation, the letter that I think you now have a copy—

Mr. LONGLEY. Well I just wanted to pick on that because if I am wrong, I want to know that.

Mr. COOLEY. No, you are not.

Mr. LONGLEY. But I am very sensitive to the charge has been made earlier that there is some carelessness with some of the facts.

Mr. COOLEY. Let me just clarify so you understand. We went in originally and we had some specified amounts. Jack Ward Thomas came to us and told us that right now the Forest Service estimated that there was 21 billion board feet of dead and dying in the northwest. And we said well how many of those board feet could you get out without violating any environmental laws already built roads, etc. etc.

And he told us at the time about eight billion board feet could be taken out without costing the forest service one penny. Then later on he came back at six. And then later on we took it out completely because he felt that in a good faith effort that they would encourage the Forest Service to get out as much as possible in a specific period of time and give us a chance over this two year period to show that they could properly manage the dead and dying.

But we agreed to that and that is the way it came out before it became public law.

Mr. RIGGS. Mr. Chairman, could you yield just on that one point very quickly, Mr. Chairman?

Mr. COOLEY. Yes.

Mr. RIGGS. Just so I can add so that we fully understand this particular issue. In the President's same June 29th letter he states,

quote: "The agencies responsible for this program will, under my direction, carry the program out to achieve the timber sales volume goals in the legislation to the fullest possible extent. The financial resources to do that are already available to the timber salvage sale fund." We took the President at his word.

Mr. COOLEY. Mr. Buckley, we will extend your time because we do not want to cut out your time. So you will be extended your five minutes. Go ahead.

Mr. LONGLEY. I guess the point of me making that comment was that number one it was incorrect, and number two is that as I understand it that was withdrawn from the legislation based on the President's and the administration assurances. But, anyway, please continue. I am sorry.

Mr. BUCKLEY. Again, what Congressman Riggs just read was what I was referring to, that the assertion that they would try and meet that to find levels, is what I am concerned about.

I would prefer to see that you give the Forest Service the manpower and the funding to do the job and urge them to get it in gear and to do it, but not to have a defined level.

The second point I would make is that as it has been brought out today, there has been so many other priorities that need to go with logging. Again, salvage logging is an appropriate tool. But when it does not have your direction that it will have with it, the clean up of the other fuels, the prescribed burning that will go with it, the agency is almost surely going to prioritize what you have directed it to do which is the cutting of trees.

So I am concerned that those other aspects of dealing with forest health will not be applied and will not be met. Another concern that I have is the removing of the stems of trees does not adequately reduce the risk of fire. Let me just real quickly explain.

When you have in a forest, you have the dead trees. If the large dead trees that are economical to remove are removed, you have gotten rid of some of the amount of fuel loading. But the fine fuels, the branches, the tops, the pine needles, the brush, the grasses, all those things are still left in the forest and especially on steep slopes, those are what carry the fire out of control. Those are what cause the catastrophic spread of fire.

So my concern is if you do not provide the funding for a broadcast burn program that combines with salvage logging you will still have, especially in the lower and middle elevations that often are not conifer lands, you will still have the threat to the private interface and a broad threat to the national forest lands.

There is a lot of possibility for consensus between the environmental community, industry and community groups. And there are areas where there is already agreement. I urge that not only do you continue to push for what you feel is a economic viable way to deal with the problems of the forest, but that you also expand what you are doing to provide more funding for broadcast burning and fuels treatment which has to accompany it if you are truly going to deal with the fuel situation.

In closing I would just emphasize that on the Stanislaus National Forest more than five million people a year come to that forest for recreation. We have talked about different people representing economic groups and, perhaps environmentalists should not be

at the table because they do not represent the people that have jobs and all the rest.

But we do give a voice to those millions of people who care about wildlife, and water, and the recreational uses of those lands. In the same way that you reflect all those people, not just Republicans, Democrats, all of those people that are in your districts, we try to give a voice to those people concerned about the forests. And we are not out there blanketly opposing things.

There has never been a lawsuit in our area of the Stanislaus National Forest related to a timber sale. And we have appealed less than one percent of all timber sale projects since I have been involved in the last 15 years.

So I do feel there is room for consensus and cooperation. I offer to show any of you places on the forests where I think there is room for that kind of consensus program.

Thank you very much.

[The statement of Mr. Buckley may be found at end of hearing.]

Mr. COOLEY. Thank you, Mr. Buckley. I want to make one comment in defense of my colleagues sitting up here. We represent everybody.

Mr. BUCKLEY. I agree.

Mr. COOLEY. Not just one group.

Mr. BUCKLEY. I understand.

Mr. COOLEY. A full consensus. And we understand our obligation and our duty. So we represent those that you represent as well. We are trying to come to a consensus as well as you are. We probably look at it a little bit different, but we do try to come to a consensus.

And I think when you look at the legislation that we are up here trying to get implemented, I think you will totally—it is not perfect. But nothing is perfect.

Mr. Blumberg.

STATEMENT OF LOUIS BLUMBERG, ASSISTANT REGIONAL DIRECTOR, WILDERNESS SOCIETY, CALIFORNIA NEVADA OFFICE

Mr. BLUMBERG. Good afternoon, Mr. Chairman. Thank you very much for inviting me to testify here today. I am Louis Blumberg, the assistant regional director of the Wilderness Society in the California-Nevada office.

I would like to summarize my testimony here, my written testimony. Basically what I want to say is that we are concerned about this law. We think this law is an unnecessary law. It will have serious negative impacts for our environment of our public lands and for the economy.

And it also is not in keeping with the California situation here today. One size does not fit all.

We feel fundamentally that the forest is not in a forest health, certainly not one that justifies the suspension of our environmental laws. We have problems in the forest that took a century to develop. We think it is not wise to think that two years of expedited logging is going to cure those problems. And, in fact, logging played a big part in creating the problems.

Preying on the public's fear of catastrophic wildfire, proponents of increased salvage logging have promulgated the myth that the

fire risk is uniformly severe throughout California's forest lands. The evidence does not support this conclusion.

For an example, in California, in most areas, the rate of dead and dying trees is at normal levels. Large areas of dead and dying trees are confined to a few areas primarily the east side of the Northern Sierra Nevada and the Lake Tahoe Basin.

Region Five here in California for many years has been aggressively pursuing salvage logging. From one half to two thirds of their sale program, from 300 to 600 some million board feet in any given year has been salvage logging. These high levels of salvage have been accomplished under existing environmental laws.

The fires this year have been very low. We have had on national forest land, 23,428 acres have burned as of September 30. This is about 20 percent or less than the annual average of 110,000 acres.

I have been on five national forests in the last three months. I have flown over several more. And I have not seen a crisis in mortality. I have been flying the forests for about six years and I would conclude that there is less mortality today than there was four and five years ago.

The drought ended two years ago and the forest is recovering, in part, because of the aggressive salvage program. I think this is reflected in the fact that the Forest Service estimate for Region Five, an additional salvage due to the rider here is about 83 million board feet.

They had an aggressive salvage program planned. There is not much more there for them to get. You cannot squeeze blood from a turnip.

In terms of timber sale appeals, I consulted with the Forest Service year-end reports and found that last year in California, there were eight appeals, eight sales were appealed, a total of 30 appeals. But eight sales were appealed. There were 119 timber sale decisions and appeals effected 35 million board feet.

Nationally the figure is similar. About 14 percent of the 2,382 timber sale decisions were appealed last year. This is according to Forest Service data.

Salvage logging is bad for the tax payer based on the average revenues and costs reported by the Forest Service last year. We estimate that the Treasury will lose 250 to 580 million dollars. Chances will be that the loss will be greater due to the fact that the sales are not selling. They are not bringing what the initial estimates were.

Salvage logging is also bad for the environment. It is basically—the environmental effects are no less damaging than those of a green sale. There is a whole host of problems that can accompany salvage sales. I think one of the myths about salvage sales is that it will reduce the risk of catastrophic wildfire. That is not true.

Too often the small fine material that we have heard about today is left behind. It is the most flammable material. But it has no commercial value. So it actually increases the short-term fire risk.

And also salvage logging is often abused. Live green trees have been taken. The Grider Creek situation here on the Klamath Forest where Mr. Pace talked about 70 percent of the trees marked for cutting are alive today, eight years later.

But I wanted to spend the rest of my time talking about California because I think we have a different approach here. There has been some talk about consensus, and I wanted to point out, and I want to thank Mr. Herger for his help with this initiative.

For the past three years we have had a multi-interest bipartisan coalition that has been pursuing increased funding for natural fuels treatment funding for the Forest Service. Mr. Herger has been a leader in this. I want to thank him for that.

Twenty-three members from both sides of the isle of the California delegation supporting this initiative. Two years ago, Congress increased funding by \$3 million for this program throughout the west. We think this is a way to go. Other people agree with this.

There are also many other collaborative efforts underway in California to try to deal with this issue. Some are local groups like we have heard about today, the Siskiyou Roundtable Group, the Trinity Bioregion Group, the Shasta-Tehema Group. There is also a state group. And attached to my testimony is a California fire strategy team plan, a strategy plan that includes the Federal and state land management agencies as well as wood products people.

In this plan, it is designed to reduce the risk of catastrophic wildfire in California, logging or salvage logging is not advocated as a strategy to decrease the fire risk.

So I do think there is room. There is already movement in California to try to work these things out to try to come to some collaboration on these issues here.

Let me close by saying that past logging has played a major role in creating the problem. It is foolish to think that a quick fix is going to solve it.

For the past two years in Washington, the new majority in Congress has repeatedly made the point that one solution does not fit every situation. Yet that quick fix, one size fits all approach, is what Public Law 104-19 has given us.

I think that, in all do respect, Mr. Chairman, I would like to point out that section 2001(e) of your law does, in fact, eliminate the opportunity for the public to use the administrative appeals process.

Thank you very much.

[The statement of Blumberg may be found at end of hearing.]

STATEMENT OF RICHARD WILSON, DIRECTOR OF FORESTRY AND FIRE PROTECTION, STATE OF CALIFORNIA

Mr. WILSON. Mr. Chairman, I am Richard Wilson, director of forestry and fire protection for the state of California. I am pleased and thank you for allowing me to testify before you.

I feel there are two overriding arching issues that face us. One is, it is going to be very hard to make any progress in the management of our national forests until we collectively decide what desired future condition we want to manage them for.

I think Mrs. Chenoweth raised this issue on education. Mr. Schultz raised the issue of definition of what a forest should be. I think that the information is before you, but it is clear there is a very great divergence as to what it is we are trying to do. And when there is a great divergence, there is confusion. And confusion reigns in this field.

The second point I would like to make I think that has also been raised is the issue of region five. California is unique. It is diverse. It is a very different state. And it has all kinds of different climates and it has all kinds of vegetation classes.

And in order to do this, though as pointed out, the one shoe does not fit. That is clearly so, and that is why we have two forest services at this time and it started in Option 9 where we basically have moved away from field work and moved more to study and research. But the net effect is we have fallen off badly in our field duties and our ability to carry out tasks in the field.

Hence, in the leadership of the Forest Service the field people do not have the direction they need to carry out their duties. Washington is on one page and everybody else is somewhere else. And the impact of this is the Regional Forester who runs region five is unable to get clear decisions in order to put his people to work so that they can implement the kinds of decisions needed in the field.

And the decisions that are made in the Northern Sierra are different than the Southern Sierra and the Tehachapi. There is another factor in all of this. Southern California has four forests: the Angeles, Los Padres, Cleveland, and San Bernardino. These four forests do not have commodity resources in terms of timber, but they are overloaded with population density. They are full of people. They are moving on those forests. They are causing all kinds of problems in terms of police powers, the garbage collection, the nuisance things that go on.

And there is an enormous fire problem down there that is getting worse and worse along with all of this population impact. These forests are part of the national forest system budget. These forests are impacting how we are doing our business on the national forest in all of California.

The Southern California forests are going to impact what happens north of the Tehachapi on those grounds that basically we have the growing timber stands. This diverse landscape is going to have a direct effect on management of fuels. It is going to have a direct effect on how we are able to respond to fires.

It is going to have a direct effect on the budget the Forest Service has to fight fires. By downsizing, the Forest Service must deploy resources or call on the state.

The net effect of this is we are very good at putting out fires. We are the best in the world. But the fact is when we have a fire, we have a doozy—the Fountain Fire, these other fires that you have heard about, the Barkley fire, the recent fire. Marin County and the town of Inverness did not burn down because the wind change of direction saved it.

It was not for fire fighters that saved all 400 houses, it was the wind direction. And that is a condition we have in California. We have it in Southern California now and we will continue to have it in these times.

And as the fire chief in Marin County said to me, well this is not Marin weather, it is not. But it comes through every few years and it is only for three days. And when it comes when the humidity is right and the weather is right and the fire comes through, it is all over.

The people that had those houses did not have a chance to get anything. They were lucky to get out of there because everything melted down.

In Southern California, whether it is Southern California brush fuels or Northern California timber, it all adds up to cost and it all adds up to fuels management. It is why we have to do a better job of allocating our resources as to what we are doing.

Now on this whole issue of salvage, it seems to me that because of Option 9 and the things that have proceeded forward, there frankly is a lack of leadership at the Federal Government level as to what we are going to do. I commend you, I do not know whether you are happy to have it, but I think this committee has been put in the breach to fill the gap. You are here trying to figure out what to do, to give some leadership to this problem that does not exist now. I do not see anything happening. And something is going to break here because it is going to break through the fire side.

It is going to break because we are going to have some more big fires. They may not be for a while, but the fact is I think that we are increasing fuel loading. I think there is more dead and dying, and I think the potential for loss of property and life in many instances is going up as we do not make decisions as to how we are going to allocate resources and what we are going to do.

And maybe finally I ought to say about the whole fuels issue, it seems to me that you have to look beyond salvage, to look at green timber sales as a form of the only real wealth out there is on the Forest Service lands. When you have a problem you have to reinvest in your problem if you are going to make it right.

To make it right, the value is there. The question is can we use the real value on the forest lands to make it right? Yes, I think we can if we can get the vision thing straight because it is like the parable. Those people who do not have a vision perish.

My feeling is we are out there struggling pretty hard to get a vision. And I think what we are doing here is trying to fine tune this thing to get a vision so people can go out and do the work. Believe me, members of this panel, we do not need anymore studies. We are finishing up on SNEP. We have enormous amounts of information.

We do not need another institute. We do not need to do anything. We have to take this information, take this back to the watersheds where the people are working and ask them what this information, what value this information is to them and put it to work.

The Forest Service does have the people here. They can do the work. They have to be turned loose to do it.

Thank you very much.

[The statement of Mr. Wilson may be found at end of hearing.]

Mr. COOLEY. Thank you. Mr. McFadden, can you tell me how much power your company produces in kilowatts, average?

Mr. MCFADDEN. Our four plants generate about 60 megawatts.

Mr. COOLEY. OK. And do you sell that directly or do you sell it to coops, etc.?

Mr. MCFADDEN. We sell it only to Pacific Gas and Electric Company under a standard offer four contract as authorized by PURPA.

Mr. COOLEY. And what do you get for that per kilowatt?

Mr. MCFADDEN. Right now three of our plants are effectively on the short run avoided costs and that is about two cents. One of them is coming off within a year, a little over a year and it gets about 11 1/2 cents.

Mr. COOLEY. Do you know what Bonneville charges for their power?

Mr. MCFADDEN. No, sir, I do not.

Mr. COOLEY. Twenty-one. I wish you were in my district. I was just curious. Mr. Buckley, this legislation that we proposed and the hearings and looking at these issues, we are not telling the silviculturist how to run the forest. We are not doing that. It does not say that in the legislation.

All's we are saying is that we are trying to give them a method in order to expedite a problem they have had in the past. And we will hear what the Forest Service has to say about that. But I wanted to tell you that we are not trying to dictate to them how to manage their forests.

All we are saying is that we think there is a problem there. We have been told by all of our constituents, not only the environmental community, but also the working community that there is a problem out here. And they think that part of the problem is in the dead and dying in the burnt forest.

And they think that that is the first area we should look at. Do you know the way the law is written, the secretary is directed to replant? He can go out and hire outside help if he does not have the amount of people to do it. We put a lot of things into this and I am very surprised by going through these hearings because we have had very few, quote, unquote, the environmental community, at least in the Beltway, really object to this.

And we are having a little here and there from some of the people outside the Beltway say how bad this law is. And, yet, we do not seem to hear that as I would think we would hear and we do not. Would you like to comment on that?

Mr. BUCKLEY. Two things real quickly. Could I just tie back real quickly to what he was just talking about? Here is one area that I really feel you could be effective in solving a situation.

In our local area, we have an ultra power chip plant that can provide a market, as he has talked about, for much of this material, to make it profitable, to take it off the forest. But because of the way the electrical price system is now set up in the state of California, without some sort of Federal direction, that market is being eliminated probably in the next year or so and we will not have a market for loggers to be able to take those small biomass logs or the dead and dying stuff that is not good for saw log quality.

There will be no direct market in our local area that is economic to provide that product to. If there was some way that those of you in Congress could help provide greater financial incentives, in some way, for, you know, that sort of operation, it would do just what you were talking about earlier.

It will reduce the risk of wildfire which, in the long run, will save tax payer's money. And it would provide additional jobs, a lot of other things. So I just wanted to tie in on that.

I did not say that I thought this was a bad bill. Although I do feel that by what I interpreted from all of the media coverage and the letter, again, Congressman Riggs read, that there was a set limit and that you were going to beat up on the Forest Service if they do not reach that limit in the period of time, the 18 months or whatever, that you—in our area just as an example, we are one of the few forests right now that does not have any real substantial amount of dead or dying material.

The timber staffs go out and because they have salvage logged for the past five years, six years, they are really looking at green trees. So they have to reach their level by—

Mr. COOLEY. John, you will have to agree that there has been very little, on this side of the table, beating up on the Forest Service. It seems to be more out there than it is over here. So maybe the Forest Service is getting a bum wrap.

But what I am just trying to say to you is that the reason for these hearings is to let people voice their experiences and let us hear what their interpretation of the law is and how it is being administered. And that is what this is all really about. We are not going to hang anybody here today or chastise. We just want to find out.

Mr. Blumberg, I want to say something. I found that you were not here earlier when I read the thing about Don Young putting people under oath, testifying before Congress.

But apparently the figures you have and the figures supplied to us are really off. And I hate to say this, but they are just—I mean, I do not understand this. When we get figures saying there is in region five 135 million board feet of mortality every year and that this year they only harvested on salvage 15 million board feet.

And then you make your statements. You know, it makes—we on this side start to wonder who has the right figures. I just want to bring that up to you because I find it pretty tough to maybe not believe the agencies and probably more willing to believe that maybe you are misinformed.

Mr. BUCKLEY. I would be happy to supply the committee with all the written documentation that I have from the Forest Service. I quoted the numbers that were provided to me and they are year end reports.

Mr. COOLEY. I would appreciate that.

Mr. BUCKLEY. I think a key point here is that there is a normal amount of dead trees in the forest. You heard about that from Mr. Nelson in terms of private land.

Mr. COOLEY. I understand that. But I would just like to—if you could provide us those figures we would really appreciate it.

Mr. BUCKLEY. I would be happy to.

Mr. COOLEY. And one last thing, my time is running out. Mr. Wilson, Mr. Blumberg stated that Public Law 104-19 resulted in one size fits all solution. He made that very clear. In your opinion is it the MOA's or the public law that mandates uniformity?

Mr. WILSON. The public law, I think, merely tries to engage the process to get something going, Mr. Chairman.

Mr. COOLEY. Does it not from your understanding, at least on ours on this side who supported that legislation, that it gave the Forest Service quite a latitude in the decisionmaking process.

Mr. WILSON. Correct. I think that is absolutely correct.

Mr. COOLEY. Well do you think the MOA gave it any latitude?

Mr. WILSON. No, I think the MOA is an expansion of the authority to make it more difficult. And you may be looking at some testimony that I have to correct because I had to get it in a hurry. It was drafted and sent over a fax. So there is a point there I will correct.

I think the MOA just expanded the problem, Mr. Chairman, to make it harder. I think the point is, I think what you have tried to do is to get this thing engaged to get something done. And I think that is what we really want to see done because we have to get started somewhere.

We argue whether it is the best way or the most perfect way is not the issue. We have to get it started. And this would be a way to get started on part of the problem while we get a better understanding of how to deal with this much larger problem that I think has been very well dealt with here by other witnesses.

So I think it is the beginning point of moving. And I would hope you would stay with it so that we would at least get that. I mean, it is sort of, you have to do one acre before you can do ten.

Mr. COOLEY. We are going to stay with this. But I appreciate your comment because I am glad you understand what we are trying to do here. I mean, this was our intent six months ago. I mean, this has always been our intent. And I am glad, I appreciate—

Mr. WILSON. Whatever you do, Mr. Chairman, you are wrong. I mean that is the way we are today. No matter who ever gets out in front is going to get criticized for doing something.

Mr. COOLEY. I understand that.

Mr. WILSON. But I think generally everybody recognizes we have to start some movement because I strongly feel that while the incident for problems out there is being retained reasonably well when we have them they are just enormous and are causing enormous dislocations by the magnitude in size and loss and things that are going.

And I think we will continue. A prevent posture implies you have to shift from suppression which is waiting for the event to occur and then trying to stop it. We cannot do that anymore. We have to get over on the other side of the hill here and get into a prevention mode. And it is going to cost us some money to get there.

But over time we will be in a much better position and hopefully our forests are going to be much more healthy. That is where we have to get to. And I think this is a beginning.

Mr. COOLEY. Thank you, I appreciate your comments. Mrs. Chenoweth.

Mrs. CHENOWETH. Thank you, Mr. Chairman. Mr. McFadden, the name plate capacity on your three plants is what?

Mr. MCFADDEN. We have three wholly owned plants. Two of them have a name plate of 10 megawatts. One of them has a name plate of 18 1/2. We are a 50 percent partner of another one which has a name plate of 22.

Mrs. CHENOWETH. So you are operating then about half to two-thirds capacity, name plate capacity?

Mr. MCFADDEN. No.

Mrs. CHENOWETH. You said you used 60 megawatts.

Mr. MCFADDEN. Adding correctly I think that those add up to 60.

Mrs. CHENOWETH. Does it, OK. I did not add correctly, excuse me.

Mr. MCFADDEN. OK. No, our plants up until recently have operated pretty much at full capacity subject to some curtailment agreements with PG&E.

Mrs. CHENOWETH. Now you said that your energy costs has dropped from 12 to two cents?

Mr. MCFADDEN. Yes, that is actually the payment that we receive for the energy.

Mrs. CHENOWETH. So, two cents would be 20 mills?

Mr. MCFADDEN. Yes, ma'am.

Mrs. CHENOWETH. OK. And your avoided costs is 11 cents?

Mr. MCFADDEN. No, ma'am. The utility pays according to the contracts either a fixed price contained in the agreement for the first ten years and that would be about 12 cents, 11 1/2, 12 cents.

Mrs. CHENOWETH. And that is your avoided costs?

Mr. MCFADDEN. And the avoided cost is a calculation which is supposed to represent something approximating the utility's replacement costs and that is about two cents.

Mrs. CHENOWETH. OK. So the avoided cost is about 20 mills?

Mr. MCFADDEN. Two cents.

Mrs. CHENOWETH. Two cents?

Mr. MCFADDEN. Yes, ma'am.

Mrs. CHENOWETH. How long is your contract?

Mr. MCFADDEN. The contract is for 30 years and the switch happens one-third of the way through the contract.

Mrs. CHENOWETH. I think that the PURPA projects are wonderful. It is my hope and desire that we will see more of the PURPA projects because Mr. Henson was referring to, you know, a lot of small trees that have not been properly thinned. I would love to see us just be able to go out and help you get those trees in for your fuel supply.

On the other hand, I know that unfortunately you have to be able to anticipate what you are going to get to produce the energy. And I hope we can see that stabilize. Twenty-five percent of production or 25 percent fuel supply for production is not a great outlook. And I wish you luck.

Mr. MCFADDEN. Well if I may comment on that. That is part of the problem that I see is with this waste that is out in the forest. Unless something is done to bring it together to an integrated process where the funds from the logging are reinvested, we will not be able to participate in the solution.

Mrs. CHENOWETH. I hope we can correct that because I think that the PURPA dream was a good one. I would like to see it continue. Mr. Blumberg, you know, when you talk about consensus and collaborative efforts, to me and to a lot of the folks are just plain folks that live in logging communities that means confusion, and you know, run for the hills and hold your wallet because you are going to lose your job.

And that is what has happened lately. When, in your statement, you can make the broad statement that there is no forest health crisis, I have to believe that you are not studying the same scientific evidence and making a good sound study of silvicultural

management. You refer to the eastside scientific panel. Who is that? You have quoted them here, a Mr. Henjam.

Mr. BLUMBERG. Right. It was a report prepared for Congress.

Mrs. CHENOWETH. And who does it consist of?

Mr. BLUMBERG. It was a team of scientists that prepared a report for members of Congress. I was not involved in any way. They were academic scientists that work with universities that delivered a report to members of Congress in 1993.

Mrs. CHENOWETH. You talk about preying on the public's fear of catastrophic wildfires. You know, California, should be sensitive to what wildfires do. I do not think that that is preying on the fears of people. And I think that, unfortunately, sir, is an unfortunate statement on your part.

Mr. BLUMBERG. My point with that is that the implication is made or the direct assertion is made that salvage logging is somehow going to reduce the risk of catastrophic wildfire. And that is just not true. There is no scientific evidence that shows that more salvage logging will in any way reduce the risk of high intensity fires.

Mrs. CHENOWETH. Well I guess, you know, you want to put your scientists up against good, long-term, long-standing silvicultural practices, but they are unnamed. And we do not know who these people are. Academicians who have not spent a day cruising timber or out there understanding the dynamics of the forest.

I am sorry, but that kind of thinking is not going to work anymore. And, you know, your idea of what to do about, in fact, you state in your testimony here that "A long-term thoughtful scientifically based program of genuine forest health restoration is needed. Number one, what you want to do is identify the highest quality examples of functioning ecosystems."

Then you want to identify as second echelon of slightly degraded forest dams. And then you go on to say in other areas until such time as forest health is restored, no traditional commodity focused green timber sales should take place.

That is what you want to do. You want to identify and identify and then stop the process. And that is not what is going to restore our communities and our companies and our forests back to health. I am sorry, we have studied this thing to death. We have had so much consensus that the next time I hear consensus—I honestly do think that it is becoming almost a frightening word.

I do want to ask Mr. Wilson, you mentioned police powers being inappropriately used. Can you elaborate on that?

Mr. WILSON. I do not know. I think I was talking maybe about Southern California and the amount of actual time that has to be spent just disciplinary, whether it is crime, vandalism, or whatever is going on. The forest is becoming an enormous release valve for that community, that population down there.

Mrs. CHENOWETH. Down in Southern California?

Mr. WILSON. Yes.

Mrs. CHENOWETH. Yes.

Mr. WILSON. If I could just say something I would like to respond to what you were mentioning to Mr. Blumberg, Mrs. Chenoweth. I think it was you early in the day, you said something maybe, we

need to have a sample, maybe we need to try something. Was that you?

Mrs. CHENOWETH. Yes.

Mr. WILSON. Well when I listen to your discussion it seems to me that that is exactly kind of where we are. It would be really helpful if we could designate something to say all right, we are going to actually do something on a specific site and we are going to use these practices. And then let us look at it and let us monitor it and really let us see whether it stands on its own or not.

And I think that would be—wherever it is—I think the Forest Service would like to have it. I think a lot of people would like to see it and to put it up as a demonstration or whatever. But the idea is we just have to crack this thing and go and do it. The whole world is not going to stop.

But it is just doing it. And we simply, at this point in time, seem to be incapable of doing anything. We can go to meetings and we have travel budget and get lawyers to take all of the information and decide what we said. And then we go back and do it again. And that is not very productive.

Mrs. CHENOWETH. Thank you, Mr. Wilson. Mr. Chairman, I did not give Mr. Blumberg a chance to respond if he wanted to. And I wonder if you could just indulge the witness.

Mr. BLUMBERG. Let me say that I want to underscore what several people have said today. The kind of approach that we support is an approach that we would call a full service or a forest health project so that the fuels that are generated by the activity are cleaned up and that past logging slash, which is a very big problem in our forest here, is cleaned up as well.

There has been talk about an emerging consensus and I know you do not like that term. But I think if you look over the testimony, what you have been hearing from people, and I think the members themselves have reflected this, that there is a need to thin some green trees in the appropriate place. The right action taken in the right place, properly implemented, is something that we all agree on.

I believe we have a forest health problem. I do not believe we have a forest health crisis. I believe making public policy under a crisis situation breeds, creates bad policy. And I believe that that is what we have here today.

Mrs. CHENOWETH. Mr. Blumberg, I appreciate your response and I know that your thoughts, feelings are sincerely held. I just want to say that I believe that we should try to draw that consensus in the hearing process, in the congressional process, before decisions are made by the Congress and the direction is set.

Our frustration is we passed the Multiple Use Sustained Yield Act, we passed the Resource Planning Act, we passed the National Forest Planning Act, now we passed the Salvage Act. And now you want to reach for a consensus, but the Congress has already acted. And we will never get out of the massive confusion until we begin to come together before the Congress has acted.

And then once the Congress has acted, we all need to be law abiding, and not that you are not, but we all need to be law abiding and go with the course of what the Congress has said.

Mr. BLUMBERG. Well we would have preferred to have this discussion prior to the passage of your law. And we would have preferred to do that within the auspices of the authorizing committees. As far as—

Mrs. CHENOWETH. Excuse me, Mr. Blumberg, I do want to say, Mr. Chairman, I do want to say that I just held up your 300 pages of testimony and the Wilderness Society was represented in the authorizing committee which is our committee.

Mr. COOLEY. They also testified in front of the Forest Committee. So they were there.

Mr. BLUMBERG. The bill was passed in an appropriations bill.

Mr. COOLEY. No, no. It got put into appropriations, but it was a stand alone. And we felt at the time that we needed to expedite it so we put it in appropriations. But the bill actually originated in the Resources Committee. All the public hearings were held and then the committee, it was put into the appropriations bill. But it was done the other way.

Mr. BLUMBERG. OK. It is not my recollection.

Mr. COOLEY. Mr. Herger.

Mr. HERGER. Thank you, Mr. Chairman. Mr. Wilson, you have had a lot of experience fighting fires, haven't you, in your organization, the California Department of Forestry?

Mr. WILSON. I have had a fair amount, Congressman.

Mr. HERGER. That is an understatement for anyone who knows the history of our state and what takes place. But let me ask you, we have heard some conflicting testimony here, would you say that as our emergency legislation was written in which it goes out, attempts to go out, and identify areas that we have a large amount of dead and dying trees. And where we are out, not counting this year, but seven out of nine years of drought years and dense forest we have a fire suppression for almost 150 years has brought about.

Is it in your opinion of many years that going out and being able to remove this dead and dying trees and also be able to do some of the thinning that is called for in the emergency legislation, do you feel this would assist you and your organization in being able to prevent the type of high intensity fires that we have seen? Not this year which is one of the wettest years we have ever had, but last year in which we had some 500,000 acres burned. Would you say that would assist your or would it make no difference as has been alleged?

Mr. WILSON. Let me try to answer it this way, Congressman Herger. Post settlement, the big pine tree with the savannah, that is the big pine tree that stands out there in the grass, that is a condition of fire, basically. The thinning process, there were no chain saws. There may have been some Native Americans.

But basically, that condition was a series of fires. In fact, some of those fires were probably on six year rotations. And that is what the old growth came out of. I mean, that is the way it grew.

So that the reason those trees got big is the ladder was not there. They burned and if you look at those old butts, they are black. And you will see where the fire traveled up the tree, but the tree is a healthy tree. And it produced a landscape.

Now I understand, and it intrigues me if you go back and see some photos of 150 years and current where in one case a man ac-

tually has some of the old research, the pictures and then has come back and tried to stand right on the site and reproduce the picture.

Mr. HERGER. I have seen those pictures.

Mr. WILSON. Those are George Grewel. He is from Nevada. But what he shows is a very open landscape that was there. And today, that same picture is a thickening of trees. Some of it just as thick as hair on a dogs back.

Now that is the kind of thing that invites fire. Because what it does is it produces a ladder and when the fire comes through, it comes up the ladder and takes everything with it because of the intensity and the heat. And the best example of that we have on record is right near Tahoe, on the Cleveland National Forest, the Cleveland fire in the El Dorado National Forest.

That is a conversion. That fire was so hot it took 10,000 acres of 30 year old pine and went through that like a hot knife through butter. And it took the forest. So when you look on that forest landscape, you will see the new forest. It is grass. It is rye grass, some brush.

And the question is, is that the management system we want? Then maybe 100 to 150 years we will have a forest. But that is what we get when we do nothing.

I do not think that everybody wants to see that happen because I do not think that is what they have in mind. But that is the natural effect. If we do nothing on some of these stands where you get—remember in California we get the right weather, we get the right wind, we get the right conditions all set when this hits.

And when it hits, the fire intensities and the people that fight fire today all tell me you just get out of the way. In the Fountain Fire up there in the Burney Canyon, you get out of the way and let nature figure out where it is going to stop. It either stops because of weather, humidity, the landscape. Something is out there, but you do not stop it with air attack and troops because they can not do it. It is too hot.

So to try to answer your question, I think that if you can start reducing that and put in some fuel breaks, some shaded fuel breaks and do this thing that if one of these big fires does start and at least it lays down. And we just had one in Mendocino County where a vegetation management several years ago had been done, the fire ran into the vegetation management burn and they got a hold of the fire.

Mr. HERGER. OK. Do you feel this legislation will help and help, at least, reduce this and not have as intense a fire as you would?

Mr. WILSON. I think this is a step in the right direction, Congressman, that is what I feel.

Mr. HERGER. OK. Mr. Blumberg, again, my problem as I have expressed earlier with other environmental groups is that I wonder if we are looking at the same state, at the same forest. Now you mentioned, hopefully we will allow Mr. Blumberg to answer, at least briefly.

You have flown over these forests. I have flown over them. I have to assume you have also observed some of these areas which have been managed by private firms which do not have all the dead and dying and others that do. And it just defies reason of why you

would oppose this going in and, at least, attempting to begin as Mr. Wilson stated.

No one is claiming this as a cure all. All we are saying is that this is at least a beginning to restoring our forest to something like they were back in the 1850's or so before we started preventing all fires. And it just defies me why your organizations fight us tooth and nail and that is shown by the number of mills that have closed, by the volumes that we are getting out of these forests, that we can no longer get out, of why you sit there and look us in the eye and somehow say everything is OK. Everything is normal. I mean that is basically what your testimony is. We basically, you say, we should not do anything. You also basically said that the only place you see the dead and dying problem is on the east side. Now, Mr. Longley, I am not even sure if he made it over to the east side. This is all the west side that we looked at, that I looked at. And you are right, the problem is even more severe on the east side.

But I just, if we could allow unanimous consent, a chance of an opportunity, are we looking at the same forest? Those of you what would seem to be the extreme environmental community and the rest of the world here.

Mr. BLUMBERG. I am going to have to rely on what I have seen from the air. I do not know if you have flown the Western Sierra-Nevada range all the way up from the Sequoia. I was on the Sierra Forest in the air and on the ground just three weeks ago.

And I see much less mortality than I saw three and four years ago.

Mr. HERGER. Is that because it has burned? It is not there anymore?

Mr. BLUMBERG. No. Most of it has been aggressively salvaged logged. And to address the first point you made. I would say that the Forest Service in doing 300 to 600 million board feet of salvage in a year is an aggressive salvage program.

Where we are falling down is on the fuels treatment work. On the green tree thinning, on eliminating the ladder fuels. And that is why we have been working to promote increase funding for natural fuels treatment. And you and Mr. Riggs have been very helpful with that. And we thank you for that.

Mr. HERGER. And I appreciate your help on that. That is one area I am pleased that we do agree on.

Mr. BLUMBERG. We do agree on it. And I think that it is sort of the step child in the panoply of management strategy.

Mr. HERGER. Why do you fight us so on all the other 98 percent of the issues that are out there?

Mr. BLUMBERG. Well, you know, Congressman, we have—we did not appeal one timber sale last year, our group. The numbers just do not show that. I think that the Forest Service has an aggressive salvage program in place and we are seeing the effects on the landscape.

Mr. HERGER. I wish the numbers would show what you and your friends say.

Mr. BLUMBERG. Well let me make a comment.

Mr. HERGER. They do not.

Mr. BLUMBERG. Let me make a comment.

Mr. HERGER. They do not show what you say and I do not know how you cannot admit that. But numbers are there. We are only cutting maybe at best a third of the dead and dying that is coming, additional dead and dying each year.

But anyway, I will not belabor it. But it does—it is mind boggling to me to sit here us looking at—and again, you come across very reasonably. But how in the world we both look at exactly the same figures, fly over the exactly the same forest, and yet you are at such a 180 degrees opposite of what would seem like the rest of us who live here.

But anyway, thank you. If you want to respond, respond succinctly.

Mr. BLUMBERG. Well I want to make one comment about the Fountain Fire. We have heard a lot about that today. It was some 60,000 acres, high intensity fire. This fire burned, not on national forest land, it burned through managed industrial timber land, that did, in fact, have, a 1,500 acre thinning in it which was designed to bring the fire to the forest floor.

Fire is a natural phenomenon and it is foolish for us to think that we are going to fire proof the forest or that we can reduce the risk of catastrophic wildfire throughout the western United States by cutting more big trees.

That fire, the Fountain Fire, burned up against the snow mountain area of the Lassen National Forest which is a noncontiguous portion of public land, and the fire went out in the old growth forest there. For whatever reason, it did not burn in the old growth. And I think that—as I said, it is a natural phenomenon and we have to learn to respect it and approach it with some humility.

Mr. COOLEY. Thank you. Mr. Longley.

Mr. LONGLEY. Thank you. You know, I want to pick up on something that Mrs. Chenoweth said a minute ago. And I respect the fact that Mr. Buckley, Mr. Blumberg, you do not agree that the salvage concept is a good idea.

Mr. BUCKLEY. I never said that.

Mr. LONGLEY. Well I think Mr. Blumberg said that. Am I incorrect?

Mr. BLUMBERG. I think the salvage law is not a good idea. I think there is plenty of salvage logging going on under existing laws.

Mr. LONGLEY. The fact of the matter is that this is legislation, the law of the land, that went through the House, went through the Senate, extensive debate between the two organizations. It was signed into law by the President. The President committed himself in writing to what he felt specifically should happen under the law.

And the fact is the information we are getting is it is not happening. And I would submit that we are passed the point of discussion. And from my standpoint, I am sitting here hearing the testimony, listening to the debate, and it seems to me that some of us have not gotten over the fact that the debate was finished.

The debate has been conducted. The law has been passed. And nothing is being done about it. All I am saying is I am trying to be honest. I want to just add something else.

You know, my experience with this goes back 20 years. My father, Governor Longley was Governor of the state of Maine from

1974 to 1978. I was a law student then. And I would assist him as a volunteer on certain projects including two major environmental projects in the state of Maine.

And I am going to offer this so that you understand where I am coming from. Governor Longley was the one who killed the Dickey Lincoln Hydroelectric Project in Northern Maine saving about a million acres of timberland from flooding for a hydroelectric project. That was a very controversial decision, a very difficult decision for him to make.

He killed it. It was done. It is over with. It is finished. It has not been mentioned in the press in 20 years.

But the second project I worked on, and this is really a tale of two projects, was the Sears Island Cargo Port on the coast of Maine which coincidentally after 18 years is still tied up in the regulatory process, is still subject suit by the Sierra Club and other environmental groups who cannot get it through their skull that there is a process of law, a process of politics, a process of policy whereby we make decisions.

And I want to elaborate for a second how extensive this process has become. Governor Longley was Governor from 1978 to 1979. There have been three other governors since then. Four successive governors endorsed the Sears Island Cargo Port, two independents a republican and a democrat.

Eight consecutive sessions of the Maine legislature. The House, the Senate controlled by different parties. Eight successive sessions endorsed the project. Two, not one, two state-wide referendums endorsed the project and allocated about \$20 million of funding. And it is still tied up in the regulatory bureaucracy.

And not to rub salt in the wounds of the folks that have suffered in this area, one of the reasons that it is being pushed more aggressively now is that because the price of fiber has risen due to the shortage of timber cutting in the west, it is economically more viable today than it ever was.

And the only point that I want to make is and I will go back to the two projects that I had personal experience with, I feel that we are genuinely trying to honestly look at the situation that is confronting people, weighing the environmental issues involved. And albeit the fact that I have been attacked by every environmental group and that you have probably contributed to some of the attacks that have been made against me, I am still here honestly trying to listen to the facts.

And I have a picture in front of me. And you are telling me there is no problem with salvage. And I am looking at a picture. And I want to be careful with my language. But this is an adult woman standing next to about a four foot diameter piece of timber next to a paved highway and you are telling me there is not a problem with salvage.

I mean what am I supposed to think when I see this picture? Can you tell me what has gone wrong here? Is there an environmental reason why this piece of timber, very valuable timber, has not been picked up? Am I missing something?

Mr. BLUMBERG. I cannot respond to that. I know no information about that situation whatsoever.

Mr. LONGLEY. You are not aware of any situation like this?

Mr. BLUMBERG. I am not aware of that situation nor of any situation with trees next to a road that cannot be picked up. I am not aware of that.

Mr. LONGLEY. Would you be willing to follow up on this and perhaps respond in writing to the committee as to what, in fact, assuming the facts are correct? Assuming this is in a public forest. And I can provide verification for it. Perhaps you could respond to the committee as to exactly what is going on here because I am sitting here trying to be an honest decisionmaker looking at this bit of evidence and I am saying to myself, what is going on? What is the problem here? Because there are people that could have jobs cutting up this piece of lumber that is sitting by the side of the road going to waste.

I guess I—I do not mean to monopolize the time, but I am very frustrated at the lack—and I do not mean—I want to be careful. I am not using the word environmental groups to refer to you specifically. I am very uncomfortable using that term in a very broad based fashion.

But what am I to make of the fact that there seems to be so little honesty collectively in the environmental movement relative to some of these issues? John, Mr. Buckley.

Mr. BUCKLEY. I cannot deal with that specific one. But rather than—

Mr. LONGLEY. And I would extend the same invitation to you. We will verify this after the hearing and I would appreciate some written acknowledgement of that, in fact, is the problem.

Mr. BUCKLEY. All I was going to say is, is literally, we are talking about millions of acres of property, of national forest property, national forest land that belongs to all of us. And I know that at least on the Stanislaus which is the forest that I go out and do the fuel work and look and see what is happening, that roadside hazard trees, all trees like that that are dead and dying are taken out in almost all situation through small roadside hazard timber sales.

And I am sure that you can find trees on the Stanislaus Forest that have fallen along side roads that somehow did not get picked up. And I have never seen one that size. But there are many places where there is good action going—

Mr. LONGLEY. We will get together after the hearing. And I would just add to this that if there is some regulation or policy that is prohibiting the picking up of one or half a dozen four foot logs by the side of a paved highway, and I have to imagine that that is about the least impact situation you can confront.

And I will add to that the piles of wasted logs that I saw during my overflight today. That something is going on and I am honestly trying to get to the bottom of it. And if you could shed some light on it I would love, I would really love to get that information.

Mr. Chairman, I am sorry, I over did my time.

Mr. COOLEY. That is all right. You have to have a little passion in order to get some of these things resolved. George.

Mr. RADANOVICH. Thank you, Mr. Chairman. Mr. Blumberg, Mr. Buckley, I hate to keep picking on you guys, but I am going to have to jump right in. The first think I want to clarify is the fact that, and I think I speak for more than just myself and the people that put together and had influence on this salvage timber bill.

The reason, extended far beyond the debate of whether or not it is good forest health or not, basically the reason was because people in our districts, the people that we represent, livelihoods were stopped. And they were pretty much shut out of the forest or out of jobs.

I mean, that is basically the reason why we are doing this. You can debate the merits of whether we are jumping ahead of the gun, allowing it to happen too fast or whether salvage plans are good forest management. I do not care.

You know, the gentleman who represented the area in my district who sat in your chairs during the last panel, one is going bankrupt. This is his advertising to sell off his equipment because his livelihood is lost, this one right here.

And that is the reason why this is happening. And again to pattern myself after Mr. Longley who I think did a good job presenting this thing, I hate to lump you all in one category, but the fact of the matter is that the environmental community is responsible indirectly. The Forest Service is responsible directly for shutting these people out of the forest.

And I think that somehow, some way the idea of stewardship and conservation that is the responsibility of the economic users of our natural resources were never given the benefit of the doubt that they are doing the job that they should be doing has been taken away from them.

And it is by—I asked the question a little bit earlier. John, the make up of your group may be different, but I would suspect the make up of your group, Mr. Blumberg, the Wilderness Society, is likely composed, or the majority of the people are urban people who have some sense of guilt because they are living most of their life on concrete and asphalt.

And I do not think that you should be developing policy or having an influence and directly effecting the economic lives of individuals when you have nothing to lose.

[Applause.]

Mr. RADANOVICH. I as a member of your association can contribute \$100 and if you are successful, that is fine. If you are not successful, what do I—I lose \$100 bucks. It is different then when that man sitting there is talking about what he is going through, no longer to make a payroll of two and a half million dollars a year supporting people, himself, and other employees in his business and he has to shut down.

There are, in my district which is composed most, if not all, the Sierra National Forest, there are no more lumber mills there. There were three three years ago. There were also a number of plants in the district that are not even there now.

And so for everybody to say that we are reaching a consensus or everything is cool, it is simply not in my district. And it is simply because of an undue environmental influence that may have had its place in a certain point in time but does not have it now.

Mr. BUCKLEY. Could I respond to that real quickly?

Mr. RADANOVICH. Sure.

Mr. BUCKLEY. I understand what you are saying and I think you have some very good points. I would ask that you also listen clearly, though, I am going to stick my neck out, to the rebuttal that

I make, because the reason that we have gotten into the situation that we have now is because since 1966 basically on national forest, the Sierra-Nevada, that I know clear cutting became the dominant method of logging and that was to very high levels depending on which forests you were on.

All of those companies that have now gone out of business or have struggles had built up their employees and their mills to deal with that level of logging. And because environmental groups and others brought pressure to look at the big picture, to look at what it was doing to, someone asked about fur-bearers, to the pine martin, to the fisher, to the goshawk, to all the different species that depended upon the forest that were being clear cut, that pressure got even the Forest Service and scientists and biologists, including Verner and others, to say there needs to be a change and that did result in a reduction of logging. That did mean that people were out of work.

And there are some people in our area, a plywood mill shut down just this fall, 186 jobs. My neighbor works for the same company and his job is at risk and we are best friends. We are very close.

I bend over backwards never to do anything that will stop timber going to those kinds of operations. But, it is not that we are starting without all of what has brought us up to now. We are not trying—

Mr. RADANOVICH. John, the point is that in my district there were three, a total of three and probably in its hay day no more than three. Today there are zero. That is not scaling down, that is eliminating.

And this gentleman here, Mr. Norby, was a small producer. Under your discussion, at least in the Sierra National Forest, he should have then been able to ratchet down the amount of business that he had if your argument is correct. He is not there anymore. He was not able to adjust. And that is not fair to these people that were in that district.

So that is fine. And I will not say that there have not been abuses in the past. Maybe there were. But it does not mean that you shut down the forest and you eliminate an entire industry which is what I am getting in my district and it is not pretty and it is not good for these people. And it is coming from outside influence.

And that is the thing that bothers me the most. If your environmental groups represented, in total, the people from, say, Mariposa County, my home county, Madera County, Fresno County and they were going to have an influence over the decisionmaking of the uses of the natural resources in that district, I would say fine.

But I do not think, you know, regardless of whether it is public land or not, I do not think that people outside the area should have an influence over the management of that area.

Mr. BUCKLEY. I live right next to the national forest. So I do not know—

Mr. RADANOVICH. That is fine. And I do not know much about you, but you know, you are not the norm.

Mr. BLUMBERG. I think you hit the nail on the head though. The issue here is public lands. This is one of the things that makes America unique and remarkable in the world is our system of pub-

lic lands. And I believe every American has the opportunity, should have the opportunity to participate in the decisionmaking process effecting those lands.

The people that live in those lands already receive a benefit by being there and enjoying the environment that they provide. And I think that we feel very strongly that by eliminating or severely curtailing the opportunities for the public to participate in the decisionmaking process as the salvage rider has done, is an undemocratic approach to resource management.

Mr. RADANOVICH. Well I think, again, the ability to appeal, the ability to have influence is a privilege, I think. But when it is abused, then I am all for privatizing that land.

Mr. BLUMBERG. I do not believe the facts have shown that that privilege, as you call it, which I would call a right, has been abused. The numbers that I have from the Forest Service shows—

Mr. RADANOVICH. It is right here. It is right here.

Mr. BLUMBERG. Change is difficult.

[Applause.]

Mr. RADANOVICH. No, it is right here. Thank you, Mr. Chairman.

Mr. COOLEY. Thank you very much. Mr. Riggs.

Mr. RIGGS. Thank you, again, Mr. Chairman. You know, Mr. Blumberg, I do not see what is undemocratic about small D, about the elected representatives of the people, the United States Congress, passing a bill that it is then signed into law with the bipartisan support of the President of the United States. The last time I checked, we did not have the votes in Congress to override the President's veto.

And by definition, any legislation which ultimately becomes law, has to do so in a bipartisan manner. I also have heard some curious testimony focused on today by some of the environmental witnesses, stating you really have not appealed or litigated that many sales.

But, again, I think that is just somewhat disingenuous when you consider the fact that the environmental community, in my view, has been very successful in using the Endangered Species Act, which by the way, expired over two years ago, as a political tool to prevent timber harvesting on both public and private lands in Northern California.

So, in today, of course, on the west side we are not only concerned about the Spotted Owl, but now we have to be concerned, of course, about the Marbled Murrelet. And I think as long as the environmental community feels that they have recourse to a rather sympathetic ninth circuit court, in the Federal District Court of Appeals, that you are going to continue to use Federal environmental laws to the utmost advantage to stop timber harvesting.

In fact, doesn't The Wilderness Society, going back to my first go-round in Congress, you favor the creation of a large old growth reserve system, a vast expansion, of the national wilderness system, in Northern California?

Mr. BLUMBERG. Yes, sir, we favor a creation of an old growth reserve system, something similar to Option 9. I think that Mr. Bower made the point that we were in a transition trying to move toward a scientific-based management foundation for our public

lands. And I think that this public law has jerked us back, thrown us back to the divisive time of the past.

Mr. RIGGS. Well you make the point about the new majority is cautious of one size fits all approaches to writing Federal legislation. And I think what you are inferring there is that we need to be careful, we need to make distinctions between the growth characteristics and annual mortality rate on a forest by forest basis.

And we certainly need to make a distinction between our eastside forest and our westside or coastal forests. But I brought with me to this hearing today just so I could get it into the record some statistics on the Six Rivers National Forest which is the largest national forest located wholly within my first congressional district, the first congressional district which I represent.

It is approximately 900,000 acres in size with an annual growth rate of one billion board feet. And an annual mortality rate of 100 million board feet. In the 1996 salvage program of that 100 million board feet of annual mortality, dead, dying, diseased trees, the 1996 salvage program is two billion board feet. And based on what the Forest Service has been able to show us so far, that might increase slightly by maybe two million to three million as an effect, as a result, rather, of the timber salvage rider to the recisions bill.

So, yes, there is a distinction there, but I want to point out that we have a high mortality rate on our coastal forests as well as our inland forest.

Another thing I want to ask, well, let me ask you both, Mr. Blumberg and Mr. Buckley. I would like you to compare the ecological impact of salvaging an old growth forest to the impact of a hot, catastrophic wildfire in that same forest.

Mr. BUCKLEY. Well I can do that. Again, every single hot fire is different depending on whether it is flat terrain, steep slope, whether it is south facing, north facing, there is a lot of complexities.

But just taking a generic one. If it is done gently, especially with rubber tired skidders instead of tractors. And if you are in there removing the logs in ways that does minimal compaction of the soil and you are not compacting where you are dragging the logs, taking out a small percentage of dead and dying material, which in most old growth forests which is all that would be there, is not necessarily going to cause very strong damage to the forest.

On the other hand, a hot burning fire that rips through could definitely kill a lot of the trees. But there is seldom those simple comparisons because many times the salvage logging that takes place does cause soil compaction, does remove the large snags and down logs that are important for certain wildlife. And they seldom are elsewhere out in the forest.

In the second growth, you will not have those large down logs and the large snags. So it would depend what was taken out and it would also depend, again, on how many of the large trees were killed by fire.

Mr. RIGGS. And I want to ask Director Wilson who is also a friend and at least a part-time constituent from Mendocino County. Let me back up for a moment, I do not think I would get any disagreement from my colleagues here.

As I pointed out earlier I am the only member of the House Appropriations Committee on the task force here today. We have made a commitment to our colleagues that we will no longer appropriate money for laws that have expired or sunsetted. And, of course, the Endangered Species Act as I pointed out expired some time ago.

Therefore, I am going to assume that everyone here today supports the reauthorization of the Endangered Species Act through the legislative process. You have pointed out today that you felt the manner in which the timber salvage rider became law was "undemocratic". So if we are going to continue to have any endangered species laws, clearly we are going to have to be reauthorized through, again, the normal legislative process or else we in the Appropriations Committee are not going to appropriate money to the Federal agencies which carry out that law.

But Director Wilson, I wanted to ask you. We have a separate task force on the Endangered Species Act. They have been conducting hearings all across the country. But I wanted to ask you, should we in considering the reauthorization of the Endangered Species Act look at down listing or delisting the Spotted Owl altogether on the basis of the best available science?

Mr. WILSON. On the basis that I have seen in the areas particularly up on the north coast, there are places clearly where the owl has shown that it is going to do very well in the second generation of forests. And where you have that proven, and I think, as I say, I cannot verify it for you by who did it or what, but I have seen enough to think and believe that where that is true, they ought to down list that situation.

But the problem is, again, it is always easy to get into these things. It is awfully hard to get out of them or to let go of them, because, again, you run right into this trust, well we cannot get out because we are not sure what is going to happen and you go on and on, as you know.

But the point is that through management and there are some things, and I am not suggesting there have not been mistakes made, now that is not at all what I am saying. But the point is through management and through manipulation of landscapes, habitat is thriving. I mean, the critters are doing very well.

And I think just to be honest, I think that people need to acknowledge that as a point because it always comes down as a one-sided thing. And, hopefully, we will get to the point someday where as we develop a habitat that people can recognize, that maybe an 80 or 100 year old tree will do the same thing as a 300 year old tree depending on the site and everything.

But the point is there are ways of manipulating and the habitat responds. And I just do not think we are open to that kind of discussion. And that is why it is so hard to talk about these things because we just cannot seem to have a discussion without getting drawn up into the hard ranks of hard right, hard left and nothing happens.

And I think, one other thing I would say is, you know, after all of this conversation, the worst enemy of conservation is poverty. And so I think we ought to think about that a little bit. Not that we are going to go out and desecrate the life, the whole landscape,

but that is just a point to be made. That people need to work and also be part of the mix.

And the one thing, I don't want to intrude on your time, but Congressman Longley, I had the good chance to see Seven Islands and the manager of that stuff. That is a million acres run by 35 people, seven generations and everything is contracted. And the reason I say that is if you take that same million acres and put it into a Forest Service model how many people would have to run it and what would be the difference.

It is a testimony to a lot of good management. And I am sure you know all about it. I know a little, but it is great.

Mr. LONGLEY. I appreciate you bringing that up.

Mr. RADANOVICH. Thank you, Mr. Chairman.

Mr. COOLEY. Thank you. Just before I excuse the panel, Mr. Buckley, can we get a financial statement from your organization? Please send it to the committee.

I want to thank all of the participants in this panel. I think it was very informative. We learned some information. And I appreciate all of your time and efforts and you are excused, thank you.

Regional Forest, Pacific Northwest Region of the Forest Service, United States Department of Agriculture—Southwest, I'm sorry.

For today, I think we would like to put you under oath and your people with you as well. So would you please all rise. Is Mark Madrid here or not?

[Whereupon, Lynn Sprague, Jim Lawrence, Jim Boynton, Mark Madrid, Jeff Withroe, Jim Anderson and Sue Husari, having been duly sworn were called upon as witnesses and testified as follows:]

Mr. COOLEY. Thank you very much, gentlemen, you can be seated. I want to tell each and everyone of you now that you are under oath of Congress and not to say anything that you are not absolutely sure of when you are being asked a question. I appreciate that. It might save us all a lot of embarrassment and problems later on. Mr. Sprague, it is your floor.

STATEMENT OF LYNN SPRAGUE, REGIONAL FORESTER, UNITED STATES DEPARTMENT OF AGRICULTURE

Mr. SPRAGUE. Thank you, Mr. Chairman. And thank you for inviting us here today. As you know, and you invited—I am accompanied by Sue Husari on the end down their, our regional fuels specialist, Jim Anderson from the Klamath National Forest, Jeff Withroe, representing the forest supervisor on the Lassen National Forest, Mark Madrid, our forest supervisor on Plumas, Jim Boynton, forest supervisor on the Sierra National Forest and Jim Lawrence, the deputy regional forester in San Francisco.

On the national level, the Forest Service anticipates exceeding its prerecision act of 1995 program level of salvage offered by some 200 million board feet. And while that does not seem like a lot, it is posturing us to move forward to the goals, the objectives that you had in passing the salvage provision in the recision act.

There are some indications that, nationally again, that there has been some reduction and demand, or reported reduction and demand for salvage. I think that is born out of the fact that some sales that we have offered have received no bids.

Here in California where we have had that situation occur, we have gone back, reexamined, tried to figure out why we got no bids so that we could do some restructuring, fix them up so we could get them back on the market. And we have done that successfully in several cases.

It is our intent to continue that kind of discussion with the industry so that we, up front, so that we could prevent those kind of situations from occurring.

We are also involving public and other interested Federal agencies, local government, tribal governments up front in the planning process for the salvage operation.

Prior to, at the national level again, prior to the enactment of Public Law 104-19, there were several activities under way that have helped expedite the things we are doing now. There was an effort made, a multiagency effort made to improve the consultation process and actually an MOU among those agencies signed.

I signed a similar MOU here at the regional level to improve and facilitate the engagement of other agencies in the salvage operation up front.

The process, the interagency process here in California that we are engaged in up front is paying off some dividends so far in that we have people working together from the very beginning and has reduced the number of timber sales that are requiring formal consultations and shortened the timeframes for completing the consultations when they area required.

We are moving forward to implement the timber-related provisions of the reclamation act as directed by President Clinton and Secretary Glickman. As part of this direction, the President did direct Agriculture, Commerce and Interior and the EPA to implement the law to the maximum extent possible, consistent with environmental laws.

Public Law 104-19 does give the Secretary the authority to ensure that salvage sales are consistent with standards and guidelines of the applicable national forest or BLM district management plan. And to this end, the administration established a system for ensuring that salvage sales comply fully with standards and guidelines while expediting the offer of salvage sales.

There has been enough said about the MOA here today, and I will just say that I have provided that for the record. There are, I think, a couple of positive things about that MOA. It does build on some ongoing efforts to streamline these procedures at the national level and in a interagency way with respect to consultation.

And the key item is that the agreement establishes some joint responsibility for the leadership of those agencies to do their part in achieving the goals of the program.

Now I would like to focus my attention on what we are doing here in California to implement the timber salvage provisions of Public Law 104-19.

We have as has been said here and as the congressman from California can attest, been impacted by large fires, by drought conditions and by insect and disease epidemics in recent years. Timber salvage harvesting has been utilized as one of the management tools to deal with those situations.

We were fairly certain that there was going to be something passed in the way of timber salvage legislation. And well before it happened we had in place here in California a committee or a task force on forest health and a team to begin working on what we needed to do to begin with salvage on a concentrated effort.

So we had those in place, and actually carrying out some activities before the law passed. Some of the procedures that have been instituted to accomplish timber salvage work in a timely manner have led from that.

We have carried out aerial surveys or our aerial surveys for 1995 show that the rates of mortality have declined compared to previous years. However, we have no appreciable new mortality. We are using the authorities of 104-19 to salvage previous year mortality that still exists.

We have increased our emphasis on vegetation and fuel management in the urban interface areas where forest health problems can affect human safety and property. Particularly in the Lake Tahoe Basin Management Unit, several significant projects are under way in cooperation with the state of California and with the state of Nevada.

I might just also add that the Lassen National Forest has offered 273 million board feet of timber salvage from the period 1992 to 1995. And under normal conditions that were predicted in the forest plan, the amount of salvage that would have been available would probably have been somewhere in the neighborhood of five to ten million. So they have really picked up the pace on that forest already.

We have implemented a salvage project on the Mendocino National Forest. It is located in one of these late successional reserve land classifications of the northwest forest plan following a 2,800 acre fire last year in August of 1994. We have been able to accomplish that by streamlining and the assessment process and reduce the timeframe to complete all of the assessments, the LSR assessment, environmental documentation and the Endangered Species Act consultation.

So we have two salvage sales offered and sold. And one of them is being operated at this time.

Interagency coordination early in the process on Mendocino is the same concept that we are applying on a broader scale throughout the region to implement the interagency MOA.

The salvage team I referred to earlier is an interdisciplinary team and we have our timber folks, we have contracting specialists, we have folks from the wildlife staff, hydrology and our environmental coordination folks. And working together as a team to—and they have been tasked with developing a process for expediting the salvage in response to this direction from the administration.

When 104-19 was passed and the implementing MOA was signed, the team was able to quickly get underway once we had the direction from Washington. We are working also with computerized mapping systems, GIS to graphically display and track timber salvage sales programs and their location in relation to environmentally sensitive areas and other specially designated areas.

Providing this type of information also to the other agencies, the EPA, the Fish and Wildlife Service and the National Marine Fish-

eries Service, up front as we begin these projects to get their involvement early on as streamlined consultation and analysis process as well, we have a monitoring system in place now which will track the sales accomplishments in individual sales as we identify them.

And finally, 104-19 provides relief from law and regulation regarding procedural requirements for personnel hiring and contracting. And we are moving to remove some barriers that we have identified associated with making this happen. Part of this effort of the interdisciplinary salvage team, I mentioned, was to early on identify barriers to moving forward with the salvage program. And we have converted those barriers into an action plan and are moving to solve those so that we can get on with contracting and rehiring of retired personnel and that sort of thing.

I am going to complete my testimony there. I would be happy to answer questions.

[The statement of Mr. Sprague may be found at end of hearing.]

Mr. COOLEY. Thank you, Mr. Sprague. I have to ask you, I wrote you a letter and asked you some important questions for this meeting. I did not receive any kind of reply. Can you tell my why that we were not able to get a response?

Mr. SPRAGUE. I apologize. You sent a letter asking seven questions, I believe. And we have prepared that and unfortunately it is in the review process and I assure you it will be provided so that it is a part of the record. I apologize for the lateness of the reply.

Mr. COOLEY. That is OK. Could you tell me what part is being reviewed? I mean, out of the seven questions I asked, what part had to be reviewed? And who is reviewing that? I guess that is what I should say.

Mr. SPRAGUE. Our Washington office.

Mr. COOLEY. Can I ask you, most of the questions, on policy I can understand that, but how about the questions I had on the technical part of it. Why would Washington have to review that and couldn't you have written a letter saying, technically, these are the responses that you request. Policy wise, I have to get an oversight. Could you help me out?

Mr. SPRAGUE. I probably could have. We were asked to provide them an opportunity to review it before we sent it to you and we have done that.

Mr. COOLEY. Do you normally have to, any time that you are asked a question on a technical thing, do you have to go to Washington before you are allowed that to go out?

Mr. SPRAGUE. Many of the requests from members of Congress are reviewed by the Washington office before they are forwarded out to you.

Mr. COOLEY. Is this a policy by the secretary?

Mr. SPRAGUE. No, well I do not know that it is any specific policy, but it is fairly routine for requests from members to come, or to go back to our Washington office. Unless they specifically ask us to respond directly.

Mr. COOLEY. So in other words if I were to ask you how much volume you have done and how much volume is out there, you would have sent that to Washington? How would they be able to verify what you are sending to them?

Mr. SPRAGUE. Well in this case, because it was part of the—part of preparing for this hearing, that is the reason that they—they also, this testimony was reviewed by the Washington office. That is part of the reason, Congressman Herger, that I was not able to get it to you until late last night.

Mr. COOLEY. Well the thing is, you know, those kind of things that hamper our ability to—as a matter of fact,—

Mr. SPRAGUE. I am embarrassed about it. I cannot say anything more about.

Mr. COOLEY. I am not picking on you. I am just saying it kind of hampers our ability—

Mr. SPRAGUE. I realize that.

Mr. COOLEY.—to ask the proper questions at these hearings.

Mr. SPRAGUE. I realize that.

Mr. COOLEY. Who, are you at liberty to tell us who in Washington reviews these letters?

Mr. SPRAGUE. Well it is coordinated in the legislative affairs staff. I would not have any idea specifically.

Mr. COOLEY. Is there a manual or procedure that is written to you or is this something that is done verbally?

Mr. SPRAGUE. This was a—I was not personally involved in, because I was not in the office when your letter came in. But it was, I am sure it was a telephone or electronic communication.

Mr. COOLEY. Would you provide me the electronic communication that requested that that letter be reviewed by the Secretary of Agriculture before it was—

Mr. SPRAGUE. If that is the way it was requested, I will. I will find out how it was.

Mr. COOLEY. Or give me some reason that it had to be reviewed by them. Because those questions that I ask—

Mr. SPRAGUE. I know.

Mr. COOLEY.—certainly were not policy questions.

Mr. SPRAGUE. I know.

Mr. COOLEY. They were all technical questions which should never—I mean, Washington should never be guiding you on things that are on the ground here or if they are here. I mean, how can they judge you on your technical responses to Congress? You see, I am having a hard time with that. I really am.

I guess what I am having a hard time is that I feel that we are getting at the root of some kind of a problem we have here where maybe you are being finite managed. I guess that is being polite.

Anyway, I need to find that out if you do not mind. Could I ask you something? How many years have you been, Mr. Sprague, in the Forest Service?

Mr. SPRAGUE. Thirty-three years.

Mr. COOLEY. I would say you were well qualified. I find it a little difficult for someone in Washington to oversight you. Also another thing I was wondering, I know last night, oh, you already answered the question, you were not able to give us your testimony until late last night because it had to be approved by Washington. Is that a pretty fair statement?

Mr. SPRAGUE. That is correct.

Mr. COOLEY. And I know that my colleagues have a lot of things to ask and I do not want to take up my time. We probably can go

around a couple of times, so that will be all for me. Mrs. Chenoweth, you are next.

Mrs. CHENOWETH. Mr. Sprague, I have to say I am personally relieved to learn that it was Washington, D.C. that had the final cut on your testimony. Because I did not want to believe that a man who served in 32 years in the Forest Service would on his own feel comfortable saying the things that you did.

And by that I mean, number one, what in the world are the tribes doing in the governmental planning process for timber sales? Where did they get their entry? The tribes.

Mr. SPRAGUE. Well we have through the National Forest Management Act an obligation to work with the tribal governments in planning of national forest adjacent to their lands and then their historic hunting and ritual lands. So it is a requirement law.

Mrs. CHENOWETH. Well I think that that law says that you work with them so long as you are in the process of putting the plan together. Once the plan is together, that is it. And unless the Congress designates something differently, I even think that in section N under the Endangered Species Act, with regard to the Endangered Species Act, in the section called coordination with other laws, you have a higher authority than even the law itself, because in that section it says nothing in this act should prevent the Secretary of Agriculture for carrying out his responsibilities in factor and law.

And as I listen to your testimony, I heard you say he signed the MOU. I heard you say that you were working with an interdisciplinary team, that you were working with a salvage team, that you were working with computers and mapping, and you were working on monitoring. You were identifying barriers, and then you were putting together an action team.

And, you know, I just want to say is what we want you to do is what you were trained to do and what I believe you like to do. And it hurts me because I know that in the position that you are in, you are between a rock and a hard place, a whole bunch of rocks and a hard place. But I am telling you the Congress is going to start pushing harder than they ever have before.

And you know what it takes to make a forest thrive. I know you do. And I have got to say that we honestly feel that this salvage law and seeing how you are going to get this salvage timber out by cruising that timber, putting your bids back together and getting that salvage lumber out, is truly the limit test for the Forest Service.

We are not making vague promises. We really want to see the talents that you have innately and in your education brought to its full fruition. And one of the problems that you are having is low morale because people cannot finish jobs, people cannot get out on the forests and work.

I want to believe that, and I want to some day see your hands loosened to do what you are trained and know that you can do. And I am telling you, Mr. Sprague, what we are looking for, what America is looking for is men who can match our mountains. Men who will cut through this.

I mean, this west was not settled by Wigs and faint-hearted people. People who want to write plan after plan after plan. This west

was settled by people who knew how to forge a western frontier, knew how to manage resources. And I challenge you, I want you to take names and kick backsides. I want you to cut through it. We all do.

We will do all we can to protect you and I do not want you to have to be forced to sign an MOU. That is patently illegal. I do not want you to be in that position anymore because you have the public trust in your hands.

And I want to see you rise to the highest level that you can with that public trust. Mr. Sprague, I do not want you to have to leave a legacy of this area to California to your children or grandchildren that you oversaw a dead and dying forest. And I know that hurts your heart too.

And so, you know, maybe this administration can stay intact for two more years. But just like the American people did last November 8, I believe there is a change coming.

[Applause.]

Mrs. CHENOWETH. And they are in control, not us, not you, not the administration, they are.

Mr. SPRAGUE. Let me just react. I cannot do much about what goes on at higher levels. What I can do is what we do here. And we are very committed to getting after the salvage program in a positive, responsible way.

We understand the spirit with which you all passed this law. And that is the spirit with which we and the forest supervisors are moving to implement it. And while the law has been passed since late July and there is allegations that we have not done anything yet, the truth is we have. In ways that are more subtle than show, probably, to the average person. But we have, we have people that are excited about being freed up to make decisions at the local level and those sorts of things.

And I think we are going to get there.

Mr. COOLEY. Thank you very much. Mr. Herger.

Mr. HERGER. Thank you, Mr. Chairman. Mr. Sprague, is this a graph that you passed out? If not, I believe it was taken from your record.

Mr. SPRAGUE. I think it is part of the record.

Mr. HERGER. Right. So I have to tell you that despite the fact that I sincerely have the highest regard for you personally, I have a tremendous amount of concern for the Forest Service when they give us a graph like this and this is all that we are going to be getting out in salvage.

That even with the emergency legislation that we have given you, that we have given the Forest Service, which is to help free up the handcuffs that you have had, your own graph that you have handed out indicates that out of the last eight years we will put out less salvage this year in 1985 than every year of the last eight years barring one.

It is hard for me to believe that. Is that what this graph—only last year will we be putting out more salvage, if I read your graph correctly, will we be putting out more salvage than any other year in the last eight years.

Mr. SPRAGUE. This is the year, 1995 and the year ended in September, Congressman, so it was last year. The last bar there.

Mr. HERGER. It is projected for 1995, is that what we have?

Mr. SPRAGUE. No, no. That is what happened in 1995. That is not 1996. We are moving into 1996.

Mr. HERGER. OK.

Mr. SPRAGUE. And we moved there the first of October.

Mr. HERGER. Let me ask another question, if I could. On August 21, you informed me in writing that there is 1.09 billion board feet of operatable timber in region five. Just eight days later on August 29, the Secretary of Agriculture wrote to Congress that region five would harvest 118.3 million board feet under the new law. This is a 200 million board feet difference. Can you tell me why?

Mr. SPRAGUE. No, I cannot. Maybe—I would have to go back and see what the source of those numbers were. And I will.

Mr. HERGER. OK.

Mr. SPRAGUE. I will.

Mr. HERGER. Thank you. Let me move on to—

Mr. SPRAGUE. Can I go back to this chart just a second, Congressman?

Mr. HERGER. Yes.

Mr. SPRAGUE. The purpose in this chart was to demonstrate that we have since—well this chart just goes back to fiscal year 1988. But the purpose is to show that we have over the past several years produced a high percentage of our timber output in the salvage component. That is what this is. So we have been trying to attack the salvage issue.

Mr. HERGER. Right. Would you agree that that is a very small amount of volume compared to last—it is in volume.

Mr. SPRAGUE. When you compare it over—

Mr. HERGER. I mean, I do not know if I am supposed to be happy by this. I mean the green has gone down dramatically, but again—pardon.

Mr. SPRAGUE. No it has not—

Mr. HERGER. The green has not gone down?

Mr. SPRAGUE. No, no, no. I am saying it was not constructed necessarily to make anybody happy, just to show what actually happened.

Mr. HERGER. Well this makes me very unhappy. This shows that not only has the green come down, but at least through—I am trying to read this—at least the 1995 number only one other year did we do less than we are this year out of eight years. OK, that is just—let me move on to another specific question.

The Lassen National Forest, and I had an opportunity, and I appreciate the opportunity of going out and doing some touring in the Lassen just a couple of weeks ago, reports that it will salvage 158—excuse me, on the Plumas, I toured. But the Lassen reports that it will salvage 158 million board feet of salvage under the salvage amendment while the Plumas reports only 70 million board feet. Could you tell my why the Plumas is planning to harvest less than half of the volume of the Lassen?

Mr. SPRAGUE. Mark, do you want to take a shot at that?

Mr. MADRID. We addressed this two ways when we met in Sacramento with you, Congressman Herger, as well as Congressman Riggs and Doolittle.

The Plumas itself is, I have to admit, is a little bit behind and it has to do with the two things that I mentioned in Sacramento. One is that the forest, since 1992, has probably decreased its budget by about 40 percent and lost about 160 employees.

So we are really playing catch up a little bit here in terms of our overall programs and where we want to go. The estimate that we gave now for where we are going to be both in Fiscal Year 1996 and the first quarter project for 1997 that you said really is our best where we can be with our existing reports and some of the things that we are doing, what we are going to try to do is make a most effective use of contracting and other things as we can. But right now, that is the best we can do with where we are. And there are a few things that we are working on that we are going to change and do some stuff, but we are really in a reconstruction mode on that forest.

There is no better way I can describe it than that.

Mr. HERGER. Our legislation is only 18 months. Again, you are showing for whatever reason half the volume that the forest right next to you. With your reconstruction, do you anticipate moving up to—I mean, what do you see? What kind of dramatic changes hopefully are you anticipating? And, again, you do have the right, we talked about this on our tour, of contracting which did not seem to be very high on the priority of the Plumas when we went out there.

And I do have a major complaint on the Plumas. It seems like the Plumas is not moving. And it is certainly not moving with respect to what your adjacent forest is. And can you assure me that we are going to see some dramatic improvements on your forests with your rearrangement?

Mr. MADRID. I think you will see increases on the forests. How successful we are with contracting is really the key to our program. It is unfortunate that you got the feeling that contracting is not a high priority for us or that we are not approaching—

Mr. HERGER. Well that is what was told me basically in asking questions during that tour.

Mr. MADRID. And it is unfortunate because the success for the dramatic increases this—

Mr. HERGER. They mentioned they were going to try to do more, let me say, at least up to that point.

Mr. MADRID. That is what I am saying. We are trying to do that. We have met as a forest as of Thursday to come up with just that in terms of where we want to direct contracting.

In the past, too, which I have to say is another reason for why I think you will see some changes is that we just got through with a contract for a biomass sale that we actually divided between two different companies, negotiated it through the contracting process where the company that was interested in the biomass took the biomass part of it, and the company that was interested in the saw log volume took the saw log volume.

So you will see some more of that. And that is just us sitting down and doing things a lot different.

Mr. HERGER. Good.

Mr. MADRID. And like I said, it is unfortunate that you got that impression because that is not where we are going on that forest. You will see some real pushes in terms of pushing the limits of

what we are able to do or not do in terms of contracting and some of the legalities. We will stay legal, but we are going to push some of the limits that way.

Mr. HERGER. And to be honest, I think that indication was given that at least they were going to look into it and see if they could not do that. So I really appreciate that. Thank you.

Mr. COOLEY. Mr. Longley.

Mr. LONGLEY. Mr. Sprague, how long have you been—you are the regional director?

Mr. SPRAGUE. Regional forester, yes.

Mr. LONGLEY. How long have you been in that position?

Mr. SPRAGUE. One year.

Mr. LONGLEY. And what were you doing before that?

Mr. SPRAGUE. I was in our Washington offices. The director of the minerals and geology program.

Mr. LONGLEY. And how long were you in Washington?

Mr. SPRAGUE. Four years.

Mr. LONGLEY. And had you been in the west before?

Mr. SPRAGUE. Yes. I am a westerner by birth and have worked most of my career in the west.

Mr. LONGLEY. How many employees report to you?

Mr. SPRAGUE. Well we have, depending on when you count, with seasonals and what not, anywhere from 4,000 to 6,000 employees in the region.

Mr. LONGLEY. And how many of them, or what percentage of those 4,000 to 6,000 would be involved in harvesting or salvage operations?

Mr. SPRAGUE. That will vary also because of the seasonal employees, fire crews and what not going out. So percentage, it may not be a good number, but I would say 15 to 25 percent would be a range depending on the work force of the day.

Mr. LONGLEY. And what would the balance of the other employees be doing?

Mr. SPRAGUE. Well, the green timber program, range management, recreation, fire, minerals.

Mr. LONGLEY. How about the green timber program?

Mr. SPRAGUE. The percentage it would be in the green timber? Probably a little less than the salvage right now.

Mr. LONGLEY. So about, so between the two—

Mr. SPRAGUE. Say, 50 percent.

Mr. LONGLEY.—30 percent total.

Mr. SPRAGUE. 30 to 35 percent.

Mr. LONGLEY. And how many—

Mr. SPRAGUE. Those are just rough numbers.

Mr. LONGLEY. Roughly, how many acres are you responsible for?

Mr. SPRAGUE. 20 million.

Mr. LONGLEY. That is about the size of my entire state.

Mr. SPRAGUE. It is one-fifth of the total land base in the state of California. We do not take that responsibility lightly, it is significant.

Mr. LONGLEY. When you came into your position and saw the chart, I am assuming that one of the things you might have done was looked at what has happened with salvage and green sales over the last six or eight years. Have you been able to identify or

did you consider determining why there has been such a precipitous drop?

Mr. SPRAGUE. There is a lot of factors. The Northern Spotted Owl issue was part of that. The California Spotted Owl is part of it. So there is—and the big numbers like in Fiscal Year 1988 and 1989, a lot of that salvage was a result of a big fire year we had in 1987. So there was a tremendous amount of fire salvage in 1988 and 1989.

So those are the spikes and dips in that chart.

Mr. LONGLEY. Have there been administrative changes that effected that as well? The drop in harvests or salvage in green per the chart?

Mr. SPRAGUE. I do not know that administrative changes necessarily.

Mr. LONGLEY. Is the authority and responsibility that you have today equivalent to what one of your predecessors may have had?

Mr. SPRAGUE. The same.

Mr. LONGLEY. Five, ten years ago?

Mr. SPRAGUE. Oh, in complexity? Is that your question?

Mr. LONGLEY. Well I guess I am struck by, you know, the chairman's questions with respect to the fact, I mean, really two reasons. One is that your statement had to be approved by Washington, and furthermore that even a simple response to a letter required approval from Washington.

If I could ask, when was your draft response prepared? The letter was dated October 13.

Mr. SPRAGUE. It would have been this last week, but I do not know which date because I was not in the office all week.

Mr. LONGLEY. Well there is a reason that I am asking the question. I understand the position that you are in, but there has been a strong suggestion that authority has left the west or left positions similar to yours and gone to Washington. And I wonder if, in fact, that has been your experience.

Mr. SPRAGUE. I am still not sure I understand what your question is.

Mr. LONGLEY. Have you less authority or more authority?

Mr. SPRAGUE. Less authority than my predecessor had?

Mr. LONGLEY. Yes.

Mr. SPRAGUE. No, I do not think so.

Mr. LONGLEY. Could you talk about the salvage process? Let us say that a company comes and wants to—or you are about to list—I am assuming there is a listing process and you are offering timber for salvage. Are you able to initiate that on your own authority or are you required to get approval from Washington?

Mr. SPRAGUE. No, in fact, these forest supervisors do that work. I do not.

Mr. LONGLEY. Are they required to seek your approval?

Mr. SPRAGUE. No.

Mr. LONGLEY. They are able to make that decision on their own?

Mr. SPRAGUE. Yes.

Mr. LONGLEY. To what extent, and I would offer this to the panel, are there reasons for the drop in sales? And I am coming from the standpoint, I am assuming that there is an environmental

process. I respect the fact that there is concern about the Spotted Owl.

But I have a great deal of difficulty seeing the massive amounts of, literally, timber rotting on its stump, and wondering—and not in geographically inaccessible areas, very close to roadways, and not in steep terrain—why this timber seems to be piling up the way it is and not going anywhere.

I mean, it just seems a terrible waste. And I am trying to figure out for myself what is going on.

Mr. SPRAGUE. Well one of the things that is going on here in this particular province where I think you had your field trip this morning is all under the President's northwest forest plan. And in that there are a number of new land allocations and processes that we had not been familiar with before.

And there was a learning period to understand, first of all, what it all meant and how we were going to deal with it, with salvage, with our green program, with livestock grazing, all of the other things that we have going on.

And some of the initial requirements of the northwest forest plan in the way of watershed analysis, these late successional reserve assessments, those sorts of things, we went through a pretty steep learning curve and we made some mistakes. We took longer to get through some of those as we learned.

But we are turning the corner on some of that. We are getting more focused in on what is required and identifying the flexibility that was built into some of those processes and partner our way through some of that so we can move quicker. I mean, it is just—that is part of it.

I mean, there is—if you just look globally throughout the Forest Service, not just this region, we need to sit back every once in a while and reexamine some of the processes that we have in place. We have not done that very well in the last 15 or 20 years.

We have the NEPA process, for example, that we feel like we are, in this region, streamlining. We have part of this effort, the salvage effort, as we have a NEPA team that is going around and providing some streamlining, NEPA streamlining training to each of the forests that are involved in salvage activities.

So we are trying to—

Mr. LONGLEY. My time has expired. But I just have to say that you have thousands of unemployed workers waiting for the agency to get through that process, I would suggest. And I will just add to that, I am not sure to what extent the committee has received information about the plan that you refer to, but I, again, my time has expired.

I do not have an opportunity to get into questions on that, maybe some of the others will, but if a copy of that could be submitted to the committee I would be very appreciative.

And I will finally note that, you know, after five other panels of witnesses, again, I respect the fact that you are all here, but I would submit that the sum total of paperwork that you have each brought to this hearing is probably a minimum of 20 to 25 times greater than any other witness that we have seen. Probably, it looks like from the notebooks, a minimum of two to four hundred pages a piece.

I would just suggest that there is something very evident happening here that I hope we can get to the bottom of. Thank you, Mr. Chairman.

Mr. RADANOVICH. I want to get to the forest and Mr. Boynton is here. I just wanted to get a brief comment from you, Mr. Boynton, regarding one issue regarding that forest and afterwards get an idea of given the fact that we have a salvage bill, given the fact that, as much as I do not like it, and many, many do not, we have an MOA from the administration that speaks to the implementation of this.

And given the fact that we have the honor of being CASPOW forest, as well—I say the honor word somewhat derogatorily, I suppose—but given all that I would like to get an idea of how you intend to, what your time lines will be, how quickly we can implement this given this kind of impediments.

I think that there is an enormous amount of flexibility or a certain amount at any rate of flexibility the Forest Service has given these documents. And I would like to see your flexibility stretched to the maximum in order to get this work done.

But, first, I kind of want a comment from you, Mr. Boynton, because you have experienced in your district lawsuits that create problems for you and the implementation of your plan. One being the recent one that make permitting for grazing permits as well as timber permits under the NEPA process a lot more cumbersome.

And I would like you to comment on that reflecting on how it has effected your ability to do your job in the Sierra National Forest.

Mr. BOYNTON. You are talking about the lawsuit?

Mr. RADANOVICH. Yes.

Mr. BOYNTON. And how it affected the salvage?

Mr. RADANOVICH. Well the cow trot lawsuit. It may not necessarily toward the—you know, the grazing issue we had recently because of the settlement of the cow trot lawsuit is the one that I am mainly concerned about.

Mr. BOYNTON. Well, actually I do not see that it is going to have any effect. With the recision bill also there was some language relative to raising permits and reissuing those as they expire. We will capitalize on that to the greatest extent possible. As they expire, we will reissue those permits.

Our energies with our people is going to go into the salvage side of—and I repeat what Mr. Sprague has shared—we are going to put our emphasis on salvage in this coming year. As a matter of fact, we did this past year with the Big Creek salvage. In fact, we used the benefits of this particular law to help get on with that sale.

I am just sure as I can be that it would have been appealed. It did not get appealed because those who were thinking about that knew that we were going to operate that under this law and chose not to take us to court. That was a 19 million board feet fire salvage on the Big Creek fire.

For next year we are looking about 17 timber sales totaling about 21 million in salvage for next year, but that is all going to come to past given the time line of getting it completed by the close of the Fiscal Year. And in the first quarter of the following year we are looking at about 9.1 million in about three sales.

Mr. RADANOVICH. Now in between—at the close—that is after the Fiscal Year?

Mr. BOYNTON. Yes, we are still doing all that work between now and that time, but that is when those sales will come to pass.

Mr. RADANOVICH. Right. So it is expected that the results of the timber salvage bill will be felt through October 1, finished, actually, by October 1, 1996?

Mr. BOYNTON. For 21 million.

Mr. RADANOVICH. Right.

Mr. BOYNTON. There will be another 9.1 million that we are looking at as the target for the first quarter of 1997.

Mr. RADANOVICH. I am going to ask a loaded question. I am just kind of curious to maybe that you cannot—you are going to have to be very garnet certainly on your response to this question. But, Mr. Riggs submitted quite an interesting set of letters with regard to the administration's dealing with this salvage bill and how it was pretty convenient to come out and say that you support it and then right after the law passes set up a bunch of regulations that encumber it.

Already knowing that you cannot comment on something like that, are you feeling like—what is it like—being the western regional manager for the last year? Do you find it difficult? Do you find it difficult to have to answer to Congress as well as the administration and getting conflicting signals between the two?

Mr. SPRAGUE. It is a difficult job. I mean, I knew that when I came here. I am not—that is part of the job so that is not—you know, I am not backing away from that at all. With respect to what got added on with the MOA process, we are trying not to worry about that. We are trying to get folks on the job we are going to do and get our own processes streamlined so that we are doing and trying to use the direction primarily to help us in our up front, in our dealings with the regulatory agencies and that sort of thing.

But to the degree that we can be focused on the spirit of this law and move in that direction in a responsible way, it is, you know, if I sat around and thought about it, I would probably feel squeezed, but we have work to do and so that is what we are going to try to do.

Mr. RADANOVICH. If there was a—the administration, or at least the President came down with an MOA that was in complete agreement with the timber salvage bill, would you still find resistance from the Forest Service on implementing that?

Mr. SPRAGUE. No. In fact, we have been traveling around the region this week visiting with forest supervisors. And one of the major items that we have talked about is the salvage provision in the reversion act. And we are finding actually excitement about the opportunities to move forward and be freed up to make some decisions.

Over the past several years, we have kind of allowed ourselves to be driven into a kind of posture of making no risk kind of decisions. And there is no such thing as no risk in the business we are in. And we just simply have to figure out how to make decisions and do a good job of evaluating, monitoring and following up and making adjustments in our decisions afterwards.

That is the switch that we have to make. And I think when people realize that that is what we can do and we can demonstrate a trust and credibility by willing to make changes when we find that we have not adequately considered some aspect of the decision and it goes bad on us, that we will change.

Instead of having everything so rock solid up front, that is the problem we have, and we are going to get out of it.

Mr. RADANOVICH. One more brief question. What was your reaction when you received the MOA from the administration?

Mr. SPRAGUE. My personal reaction?

Mr. RADANOVICH. Yes.

Mr. SPRAGUE. It, you know, I kind of shrugged my shoulders at first. But then I just, like I said, we have work to do so let us get on with it.

Mr. RADANOVICH. OK. Thank you very much.

Mr. COOLEY. Thank you. Mr. Riggs.

Mr. RIGGS. Mr. Sprague, let me ask you since the question has been raised—apparently the folks back in Washington had to sign off on your response to the chairman's October 13 letter requesting specific information from you in the Forest Service—do you have any knowledge of the counsel on environmental quality in the White House and/or its chairwoman, Kathleen McGinty, being involved in that process?

Mr. SPRAGUE. I do not.

Mr. RIGGS. Does anybody on the panel have any awareness of the counsel on environmental quality being involved in the preparation of the Memorandum of Agreement?

Mr. SPRAGUE. I would have to assume that she was because she is in that position of environmental coordination in the White House. I would have to assume that she was involved, but I do not know that she was for a fact.

Mr. RIGGS. Where did the, if not from the Forest Service at the local forest regional level, where did the impetus for the Memorandum of Agreement come from? Whose idea was it? Where did it come from?

Mr. SPRAGUE. I have no idea.

Mr. RIGGS. Well did it come from region five?

Mr. SPRAGUE. It did not.

Mr. RIGGS. Did it come from Washington?

Mr. SPRAGUE. It came from Washington, yes.

Mr. RIGGS. Where did it come from?

Mr. SPRAGUE. I do not know. I was not consulted.

Mr. RIGGS. Is it safe to assume that it came from the President and his top level administration officials?

Mr. SPRAGUE. I would say so because it was, I mean, it was—I know the Secretaries of the Interior and Agriculture were involved and their people—so I would assume that the White House would be in the middle of it. But I do not know who prepared it.

Mr. RIGGS. Both the northwest forest plan and the Memorandum of Agreement between executive branch agencies essentially came from the President and his administration. You are nodding your head yes.

Mr. SPRAGUE. Yes.

Mr. RIGGS. Let me ask you, Mr. Sprague, what procedural barriers have been created for you and the Forest Service by the Memorandum of Agreement?

Mr. SPRAGUE. Well, I suppose the only, you know, the major procedural—I do not need to know whether you consider it a barrier, but, you know, we abide to the terms of the MOA, and are required to provide a period between the completion of our analysis and being ready for a decision on a salvage sale and making the decision.

So it is not clean as you intended in the legislation. But on the other hand we are working like the devil to streamline things up front. And we are working real hard to engage people, stake holders and people that are interested in these projects early on, so that we do not end up with any difficulty.

Mr. RIGGS. Let me stop you right there because I am looking at a document. This is the salvage sale progress report dated September 6. It is on the letterhead of the USDA Forest Service, specific Southwest Region. Is that the region that you supervise?

Mr. SPRAGUE. Yes.

Mr. RIGGS. And in it is a so-called, I think everybody got one of these in their background packet, a salvage barrier action plan.

Mr. SPRAGUE. Right.

Mr. RIGGS. Correct? And you identify, let me see what the actual count is here, 12 specific barriers. I think there are two——

Mr. SPRAGUE. I think there is more than that now.

Mr. RIGGS. No doubt it has grown, the number has grown. But I am looking at a two-page list of 12 so-called barriers. And what strikes me is I scan down here, as my colleagues on the task force have pointed out, the clock is running. We have an obviously drop dead date of December 19, 1996 when these expedited timber salvage sale provisions expire.

What strikes me, as I look down this list, is the completion date for each one of these action items to resolve the barriers. The first item, barrier number one, there are not enough markers, cruisers, specialists employed by the forest, to prepare sales and survey salvage areas. Recommendation action: provide a list of contractors for marking and cruising; provide a list of contractors for necessary surveys; develop designation and cruising sample contracts. And there is a lead person on here, Bill Hay. Does Bill Hay work out of Portland?

Mr. SPRAGUE. No, San Francisco.

Mr. RIGGS. San Francisco. And a completion date of November 1, 1995. Now let me ask the staff, when did the recisions bill get signed into law? Do you all have an exact date? July 27, 1995 and we have a completion date of November 1, 1995.

Why does it take so long? Particularly when you are dealing with a very cooperative private sector. I mean, we have an industry here that is anxious to help out as Mr. MacMullin has testified and others. They stand ready as we have personally discussed. We are familiar with their offer of help. So why is it taking so long?

I scan down the list, November 1, November 1, complete before May 1996, when this program expires December 1996. December 1, 1995, December 1, 1995. I guess our frustration is related to the perceived foot dragging on the part of the Forest Service. It should

not, in our opinion, take so long to implement this program. So let me give you a chance to respond.

Mr. SPRAGUE. Well I do not have a good response because I have not gotten into the details personally of how to resolve each one of these. So I cannot give you a good response other than it takes, in the case of the first one, in developing some contract specifications and those sort of things, it takes a little while and we only have, you know, we do not have a lot of people with those skills.

And we are having to—

Mr. RIGGS. Well hold on just a moment. Just a moment, because I want to remind you you are under oath and you just said something that may contradict a statement that you made in Sacramento at our hearing there. I am looking at your response to the question: "Will budgetary constraints in any way limit the extent to which region five can fully implement the salvage amendment?"

Your answer: "The region does not expect budget constraints to limit the ability to fully implement the salvage amendment. The region plans to utilize available cash in the salvage sale fund to implement the expanded salvage efforts."

Mr. SPRAGUE. Well we—

Mr. RIGGS. The forest—if I could just—"the Forest Service is working with the Office of Management and Budget in the White House to receive authority to spend salvage sale funds at a higher level than what is presented to Congress in the Fiscal Year 1996 budget." That was your answer then.

Mr. SPRAGUE. Right. And I do not think it is in conflict because I think even though these dates are not as fast as you think they should be, we will fully implement the law.

Mr. RIGGS. Well I will conclude and withhold any other comments for the second round. It just seems to me, this first item where we are both fully in agreement here of, you know, contracting out as witnesses have testified today, as you have identified, as an action item to overcome this particular barrier.

I do not know why compiling a list of contractors for marking and cruising should take from July 27 to November 1, 1995.

Mr. SPRAGUE. Well this did not get prepared until September, this barrier package. So that is part of it. It was not prepared in July.

Mr. RIGGS. OK, Mr. Chairman, I will hold off for another round.

Mr. COOLEY. Thank you. Mr. Sprague, you have stated you have been in this district for one year?

Mr. SPRAGUE. A little over one year.

Mr. COOLEY. Then is it appropriate, how long has Mr. Lawrence been in this area?

Mr. SPRAGUE. The same time.

Mr. COOLEY. Oh, one year only, too. Boy the depth of knowledge is kind of short. Can you tell me something? I am looking at your graph you gave us on salvage and green sales. We had a dramatic problem from 1988 to 1991 and then we had another one again in 1994. Can you give me some feeling historically why we had such a huge drop in total overall sales? What stopped the sales process between the management of 1988 through 1991?

There were three years there where we had fairly decent green sales. By 1991, we had dropped off. By 1993 we were down to, you know, under 2 billion board feet. What happened in that period?

Mr. SPRAGUE. Well the period in 1993 to 1994, there was a couple of things. One, and again, in this province, the northwest forest plan implementation of that and reaching the potential sale quantity for these four forests was phased over a three year period of time. I think I am saying that right.

But anyway, from 60 to 80 to 100 percent was in the third year. So we were at a very low point just because of the hiatus we had around the settlement or settling the Northern Spotted Owl issue and the northwest forest plan implementation. That is part of it because these four forests here have historically contributed a large piece to the overall sale quantity in the region.

At the same time, we had during the period, I think I am speaking correctly, starting back to the early 1990's, we had the California Spotted Owl issue come up. And we incorporated the guidelines, interim guidelines developed in that process and the forest plans in the Sierra Forest. And that effectively reduced some of the sale quantity at the same time.

So those are the—I would say—major contributors to that.

Mr. COOLEY. So major contributors to our total drop in board feet is primarily the ESA starting in 1991?

Mr. SPRAGUE. Yes.

Mr. COOLEY. Do I have permission to ask somebody on your—

Mr. SPRAGUE. Of course.

Mr. COOLEY. Mr. Boynton.

Mr. BOYNTON. Yes.

Mr. COOLEY. You said that we are going to cut about, did you say 21 billion board feet of—

Mr. BOYNTON. 21 million.

Mr. COOLEY. OK. 21 million board feet of salvageable timber, right?

Mr. BOYNTON. That is correct.

Mr. COOLEY. That is correct. OK. How much would you have cut if we never would have passed public law?

Mr. BOYNTON. Eighteen million.

Mr. COOLEY. So public law, in streamlining this process only increased 2 million board feet—

Mr. BOYNTON. Three million board feet.

Mr. COOLEY. OK. Increased three million board feet by streamlining the whole process. Is that correct?

Mr. BOYNTON. That is what we added looking at what we thought we could do under that, yes.

Mr. COOLEY. So you would have normally just went ahead and cut the other anyway, with or without Public Law 104-19?

Mr. BOYNTON. That is what we were looking at, yes. We were looking at trying to get into the fuels and forest health ramifications of salvage, particularly in the front country and the interface between the private lands and the country that is Ponderosa Pine mix conifer. And that is where we were looking at harvesting that 18 million.

Mr. COOLEY. So by giving the possibility of going out and hiring help on the outside, streamlining the process, we only picked up three million board feet?

Mr. BOYNTON. Yes, that is correct.

Mr. COOLEY. We did not do a lot did we?

Mr. BOYNTON. I was concerned about how the streamline process would occur.

Mr. COOLEY. Do you think the MOA sort of redefined what we thought we did in the legislation?

Mr. BOYNTON. To be very candid with you, at that particular moment in time we were trying to look at what those estimates might be. I did not know about an MOA or that it was going to be coming down. As I and my staff looked through the bill and saw that the secretaries had the flexibility to review and to determine to the degree to which they were going to be in compliance with various Federal laws and policies, I thought we were going to be dealing with pretty much what we had.

Mr. COOLEY. My time is gone. Mr. Sprague, I want to ask you one thing. In your opinion as a manager of this vast, 20 million acres of forest land, do you think the MOA, your interpretation of the MOA, and let us say necessary to law, but your interpretation of the MOA has prohibit you from, let us say, from implementing what we thought was the true spirit of Public Law 104-19?

Mr. SPRAGUE. It is not prohibiting me.

Mr. COOLEY. Has it slowed you down or anything? Straight forward with what you are going to do before. Thank you.

Mrs. CHENOWETH. Mr. Sprague, I understand that until recently, region five was under a consent decree regarding the number of women in the work force?

Mr. SPRAGUE. Correct.

Mrs. CHENOWETH. Could you elaborate on that? What happened there?

Mr. SPRAGUE. Well that is a long story. It goes back to 1976 or so when a class action suit was brought against the Forest Service in California. It took until May of 1994 to work our way all the way through that and get out from under the court order decree, the last two years of which was a settlement agreement that we worked our way through. So it has been a long process.

Mrs. CHENOWETH. What percent was this settlement?

Mr. SPRAGUE. What percent?

Mrs. CHENOWETH. Of women in the work force?

Mr. SPRAGUE. Well I cannot remember the exact numbers, but the target was for 43 percent women in the work force. And distributed throughout the grade levels and the various disciplines.

Mrs. CHENOWETH. You know, it makes it difficult for me to be a women because I do not think any woman should be hired on a quota, but rather just on ability. You know, and the American people are finally waking up that some women can handle jobs equal to men. And voluntarily they elect some of us strange critters to Congress and it is happening naturally. I am just sorry that we have to live with these consent decrees.

You talked about the spirit of the law, Public Law 104-19. It is more than the spirit, it is the law. It really is.

Mr. SPRAGUE. Yes, I recognize that.

Mrs. CHENOWETH. And, you know, can I conclude that the Executive Branch has overridden the mandate of Congress embodied in Public Law 104-19?

Mr. SPRAGUE. Not this member. When I say the spirit of the law, I mean just that. I mean implementing to the best I can of what the intent of the law was.

Mrs. CHENOWETH. Do you feel there is a conflict between the MOA and the actual law as passed by Congress?

Mr. SPRAGUE. Well not in terms of our ability to get the job done on the ground. It extends some timeframes and that sort of thing and so for—if you look at it purely in that sense. But it is not getting in the way of our getting the job done.

Mrs. CHENOWETH. I hope not. I hope not. Tell me about the President's northwest forest plan. There has been a lot of resources put into that.

Mr. SPRAGUE. There have.

Mrs. CHENOWETH. Was this ever passed by or ratified by Congress?

Mr. SPRAGUE. No.

Mrs. CHENOWETH. Did it alter the forest management plan that was adopted in each forest?

Mr. SPRAGUE. Yes.

Mrs. CHENOWETH. Do you feel you are breaking the law?

Mr. SPRAGUE. No.

Mrs. CHENOWETH. Who sets the law?

Mr. SPRAGUE. Well in this case the plan was developed and approved by the President. It was litigated and withstood the court test. So basically, I guess you could say ultimately the courts approved it.

Mrs. CHENOWETH. It was a major Federal action and it changed the management plan as set forth by Congress. Was NEPA studies done on it?

Mr. SPRAGUE. Our four forest plans in California that are in this province that were included in the northwest forest plan were not completed. And we incorporated the provisions of the northwest forest plan in these four forest plans and NEPA was done on that as a part of EIS that is on these four forest plans.

Mrs. CHENOWETH. Well I think what I am really getting at is the fact that the National Environmental Policy Act requires that for every major Federal action that you engage in, that you do an economic and an environmental impact statement. And the fact that you were not able to move ahead on your forest plans and keep a sustainable forest, actually has a devastating environmental impact.

And we do not see the NEPA process being employed in that direction. You know, before I close and I see the yellow light on, but I did want to ask you or any of your supervisors what percent of your sales are appealed?

Mr. SPRAGUE. Well that is a good question. I do not know. Somebody has their hand up down there. John.

Mr. ANDERSON. Madam Chairman, the percentage is irrelevant.

Mr. COOLEY. Could you use the microphone, please?

Mr. ANDERSON. This is the first time one has actually told me talk louder, Mr. Chairman. The percentage that have been battered

around here today is really irrelevant. You can litigate a single case such as Seattle Audubon Society versus the Secretary of Agriculture. And one case can adjoin all the timber, harvested from suitable owl habitat on 22 national forests and two regions. And it did.

So let us not talk in terms of percentages. Percentages do not mean anything. It is what gets effected by litigation. Now, today, I have sat in the audience and heard how many percentages and what we do not appeal and what we do appeal and we all talk about individuals.

Well I am under oath in two ways. I have been sworn today and I took an oath of office in which I swore to support and defend the Constitution of the United States. I take that oath, other than my marriage vows, to be the most serious thing of anything I have ever done in my life.

I have in front of me a copy of an appeal, one appeal. It is filed by the Klamath Forest Alliance, the California Wilderness Coalition, the Wilderness Society, Northcoast Environmental Center, the Sierra Club, California Trout and others. It is dated October 10. It is signed by an attorney in-fact from the Sierra Club Legal Defense Fund.

I would like to read a little bit from it from people that do not appeal mass things or very few appeals.

"In accordance with 36 CFR Section 21710C, appellants request state during this appeal" that is now folks, "and any ensuing court review of the regional foresters implementation of the management plan." This management plan is the sole legal document governing management on the Klamath National Forest today. It is in place now.

"Specifically, the appellants request that the Forest Service halt offering and awarding any timber sale and construction of any logging roads and the approval of any grazing allotment and the approval of any mining activity pursuant to the management plan." That would be all of those activities on the national forest is the sole governing document.

"Pursuant to the management plan pending disposition of this activity and any ensuing litigation, this stay should be granted for the following reasons." And it goes on to state some reasons.

I do not see this as a means of working with the fragile consensus that has happened. This document that was signed this month is a complete reversal of any policy about not appealing things that has been issued. I am sure that there are other forests that have similar appeals.

It fractures me, personally, to think that I worked with every one of these environmental groups to not only implement the forest plan, as the President and the secretaries prepared it for the northwest, but we added over 100 miles wild and scenic river. We added visual quality standards to meet legal guidance with the state of California that we have under a memorandum of understanding that we have had for 20 years about scenic views on highways.

This is an environmentally sensitive plan that is not breaking any laws. You, in your salvage act, asked us to implement this plan. And we were planning on doing that vigorously. We still will.

But I have taken exception to a great number of remarks today about us, particularly Mr. Sprague not operating within the law. That is not correct. This plan is directed in the forest, in the recisions act, for us to be our operating guide.

It provides a very bounteous degree of protection for all of the resources listed. And we will do a great job of providing protection for the resources including those subject to salvage logging. The standards and guidelines in here are scientifically approvable.

I always go off like this at every presentation. Thank you very much for your time.

Mrs. CHENOWETH. Mr. Anderson, would you mind submitting that for the record?

Mr. ANDERSON. I just happen to have a few extra copies and I would be glad to.

Mrs. CHENOWETH. Thank you. And I very much appreciate your comments. And I just want to say one more thing. I think you are as about as frustrated with Federal judges as I am. And that is the reason that Sonny Bono and I and Jack Metcalf will be putting together a piece of legislation to limit the terms of Federal judges because they are just tying us all up.

[Applause.]

Mr. ANDERSON. Madam, I am not frustrated with Federal judges. I delight in the Constitution. I see it as a wonderful instrument. And I see the tension that is here today between the Judiciary, the Executive Branch and Congress as something that was envisioned by Thomas Jefferson.

And it is all part of my job. This is a very stressful situation. Managing forests is not what it used to be of tower on the mountain, waiting for the lightening to come in. It just is not that way.

In 1980, three people, forest planners, died at work of heart attacks making it the most hazardous industrial occupation in the United States. It is a stressful job. We are here talking about a forest plan. It is a stressful thing. What we need to deal with is the long-term conflict and the long-term forest health.

Thank you very much.

Mrs. CHENOWETH. Mr. Anderson, that has been the most direct comment that we have received in a long time. And I appreciate that directness. That is the kind of thing we ask for. Thank you.

Mr. COOLEY. Wally.

Mr. HERGER. Thank you, Mr. Chairman. I want to express my appreciation for your candidness, Mr. Anderson. While we have you going, I would like to continue, if you could, and allow you an opportunity to respond to Mr. Felice Pace's testimony earlier today. Whereon page one he made some pretty strong comments about the allegations about the Klamath National Forest is leaving behind, I believe, he used the term, mountains of slash.

We seem to hear this through the environmental community. He made this comment specifically to your forest, just quoting: "We can tell you unequivocally that salvage logging has been the most abused activity on the Klamath National Forest." Would you respond to that, please?

Mr. ANDERSON. I think——

Mr. HERGER. Is there any truth to this? I mean, why is he making this comment?

Mr. ANDERSON. There are, in fact, places where there is a lot of helicopter slash that was left. And if you want to chase sales back to the 1970's it was seen as a way of making very little impact upon the land to remove timber. And a lot of slash was left to protect soil.

Subsequently, the information we have gained about fuel build up from that, that we really were not aware of in the 1970's, has made us change our mind about that. And the most significant environmental degradation I have seen in my career of 23 years as a hydrologist, and I am talking a hydrologist with a deep and passionate commitment for the land, a former monkey wrencher, a wild-eyed radical kid at one time, has been as a result of failure to treat activity fuels and failure to treat sites that were burned and had large accumulations of fuel underneath them, whether they were treated with logging or not.

In ten years, those fuels broke down on the ground, and when fire got in them it went off and ran. Now if you do not do fuel treatment, you are wasting your time in salvage logging.

Mr. HERGER. Is that practice still taking place? You mentioned the 1970's.

Mr. ANDERSON. OK, in the 1970's. No. When we have treatment now, we require much more fuel treatment. And we had environmental lawsuits over what we would treat and leave and what we would burn and leave. After the 1987 fires, I came here in March of 1988, and in 15 months we put up 500 million board feet of salvage from that disaster.

We had——

Mr. HERGER. Was there a fire hazard left from that, would you say?

Mr. ANDERSON. In places there was a tremendous fire hazard left. What was really problematic to me was that without treating the slash long-term, the opportunity for reforestation was really minimum.

Places like on the King Titus area where we had a suit and settled out of court, where we treated the fuel. We have trees, conifers now that are six feet tall and are an effective watershed cover where we did not do the site preparation and treat the fuels before we planted where we planted in the slash just to get something in the ground.

Those trees are still in a suppressed state. You cannot see them through the canopy of brush. The brush is a pyroliphic or fire loving vegetation. It makes its living by burning frequently to suppress conifers.

Mr. HERGER. Lynn, maybe I can direct this—I guess what I am getting at, I hear many complaints from time to time from the environmental community that are on practices that really we do not do anymore. We have learned a lot over the years. And they will go back to fires or different practices we had at one time that just are not what is commonplace today.

I do hear this from the environmental community. And I guess what I am getting at, are we still doing this? If we are, can we put it into the bid, perhaps, where those who are buying the timber—I believe that this is true. It is something that we certainly do not want to continue doing.

I want what we do to be environmentally safe despite——

Mr. SPRAGUE. So do we.

Mr. HERGER.—some in the environmental community may think. But I guess I dislike using the term balance anymore. We are so far whacked out on the left side and at least have some good management. Could you respond to this?

Mr. SPRAGUE. What we have been talking about in this whole process since we got started in August, September is to use the salvage provision as an opportunity to look at the forest health in total when we are entering the stand to plan for a salvage sale and not just be in there looking for the large dead and dying saw log size material. But also, while we are there, let us find out what other kinds of good sound forest management practices we could do that would solve the forest health problems, reduce fuel loading and fire risk.

We are not always going to be able to accomplish all of those for economic reasons and what have you. But if we are addressing those and know out of that what our process of inventory of those kind of projects are, we think we will be better lined up to deal with them as we can.

But anyway, the whole idea is to use this salvage project as an opportunity to look at the whole forest health issue as we understand.

Mr. HERGER. Just one last comment and I know my time is up. One of the points that came out in our tour of the Plumas was basically that you as a Forest Service can almost put up any equation that you want. Maybe I am stressing it a little bit, but it depends on what you are looking at.

Now we looked at some, I believe, some sales that maybe put up where it looked like they were almost all dead and they had been dead for a while. And I believe economically that has to be a tough one to sell.

And I suppose what I would like to see happening is that we need to start showing that these are not low costs. We need to be looking out of those sales that we can show we are turning a profit. That is how we can sell the program for you and keep all of you still in business.

Mr. SPRAGUE. Right.

Mr. HERGER. And so I guess this balance needs to be that when we do, which means, hopefully we are catching these trees when they are dying. The only difference between one of the forests that I looked at which has very little value and some others is probably about two years.

So if we can try to catch these early and soon enough where there is enough money in it where we can put it in the bid, perhaps, where we make sure we are treating these forests, I believe we are all going to come out winners. And I believe that hopefully that is what we are going to be looking for.

Mr. SPRAGUE. That is our direction.

Mr. COOLEY. Mr. Longley.

Mr. LONGLEY. Thank you, Mr. Chairman. It has been a long day.

Mr. COOLEY. Yes.

Mr. LONGLEY. I would just note for the record that I am sorry that Mr. Henson has left the room. And I am very regretful that

unfortunately we did not have a copy of that when he was testifying because that is flatly contradictory to what he asserted in front of us this afternoon.

And I am very upset at that misrepresentation. In fact, I will just echo a comment that was just made. It is possible that we had some of the wrong people under oath this afternoon.

But let me just say this. Mr. Anderson, I want to pick up on what you had to say. Initially when you were commenting on the fact that the numbers is irrelevant, I might have misunderstood you, but it caused me to think about the fact about Mr. Henson's testimony and the fact that, I think he suggested that something in the vicinity of only five percent of the decisions were actually challenged in court.

And obviously any number is significant in terms of the resources that are committed and in terms of the time you are forced to spend responding to it.

To what extent does the threat of lawsuit, has it become an effective tool to force you in directions that perhaps your judgment would not sanction if you were not facing such a threat?

Mr. ANDERSON. Mr. Longley, you are directing that question to me?

Mr. LONGLEY. Yes, sir.

Mr. ANDERSON. Today, several times you have heard the term Dillon Creek mentioned.

Mr. LONGLEY. Yes.

Mr. ANDERSON. Before we formed alternatives, began forming alternatives to run the Dillon environmental assessment, we were told that categorically they would litigate that thing because it was, that operation, because it was in a roadless area.

What this is about is power as you earlier said. There are inventory roadless lands that are precluded from consideration as wilderness under the California Wilderness Act because they were released roadless areas. They are precluded from consideration. We cannot spend any money considering them for wilderness until the next round of planning.

This is about getting through this round of planning with those areas still in a roadless condition so that they can be considered for wilderness next time. If we go in and enter those areas, it will reduce their value and reduce their consideration for wilderness in the next round of planning ten years from now.

Mr. LONGLEY. So it has been an active attempt to basically subvert the process?

Mr. ANDERSON. It has been an active attempt. But my own personal feeling is that I have been sued enough that they can just come on ahead. I know how to do my job. And we will be ready for them.

Mr. LONGLEY. You also mentioned in your testimony and I will also ask the others that have not spoken to, perhaps, respond to it, but do you feel that as a professional your authority has been diminished either through official policy or the threat of suit as you have just described?

Mr. ANDERSON. The threat of suit does not diminish my authority, sir. What has happened with result of the Salvage Act, the Memorandum of Agreement, I feel like my ability to do my land

management planning staff job has been greatly multiplied. I have never had such cooperation from the Fish and Wildlife Service.

I have only recently worked with the National Marine Fisheries Service. They have been absolutely princes and princesses to work with. The spirit of this whole act, as Mr. Sprague said is, OK, that is the requirement, we are going to get our job done. And that is, in fact, what we are going with.

Instead of having three people in Sacramento to consult with, they now have 20 field people, the National Fish and Wildlife Service. I work directly with somebody. I know where their office is. I walk down the hall and talk to them. They are not, Mr. Director this, it is Nadine.

Nadine and I go out to the field and talk about——

Mr. LONGLEY. If I could just interrupt, though. If you look at the expansion of the number of people that are involved, and I respect the fact that you are trying to do your job, and you are all trying to do your job, but in the meantime we have how many thousands of people out of work because we do not get a decision out of the system.

And my perspective on this as a legislator is, I am looking at a list of a half a dozen of statutes you are dealing with and the multiplicity of agencies, including some you never had anything to do with before, and now an office has gone from three employees to 20 employees, and I am saying what can we afford?

What can the people of this area afford? And what are we purchasing for the money, the resources that we are expending, given the fact that when you finally get through the process you are going to be sued anyway and it is going to be tied up indefinitely on that account.

And I am just trying to get at the heart of the issue which is, I define your job, yes, in terms of honoring the statute. But we need to get decisions out of the process that are reflective of the protection of the resource.

And the one element that seems to be in the equation, that seems to be forgotten about continuously, is the protection of the resource. And right now we have management by default because we have decisions tied up in internally within the government or in the courts.

The bottom line is, again, I am coming back to the dead trees on the stump that I am seeing out in the forest, and I guess that is the point of my question. I mean, I respect the fact that everybody involved is a good person, they are trying hard to do their job.

But the bottom line is we are not—I think we are letting the definition of the job get away from the real objective here which is the protection and management of the resource. And we can talk to each other until we are blue in the face.

I do not know. Am I off track or do you have a response to what I just said?

Mr. ANDERSON. I respect your concerns, sir.

Mr. LONGLEY. Thank you.

Mr. COOLEY. Mr. Riggs.

Mr. RIGGS. I did not realize that we lost Congressman Radanovich, stage left, huh? I know the hour is getting late, but I want to thank Mr. Anderson for reinforcing a couple of the points

I attempted to make earlier. I guess I did not make my points as eloquently as you, sir, but I did attempt to stress the same essential contentions that you just expressed and it is a shame as we look around the auditorium now that the so-called representatives of the environmental community are no longer with us to hear your testimony because it is very powerful.

And, again, I think it underscores what I was trying to say about the bad faith tactics employed by some of the more militant and litigious environmental organizations.

I also want to tell to my colleague, Congresswoman Chenoweth, in fact, the other members of the task force, here, that I hope they will cosponsor my bipartisan bill to limit the terms of Federal judges which I am introducing with Democratic Congressman Bill Bruster of Oklahoma and to subject Federal judges to a reappointment and reconfirmation process. I am sure we can work together in that vein.

I want to ask, I guess, just to make sure I am clear, though. Mr. Anderson alluded to this and I want to give any of the other witnesses on this panel an opportunity to respond to this.

As forest supervisors, do you have the authority to approve a salvage sale or does any other Federal agency have a veto authority over your decision at the forest level to approve a salvage sale subject to, of course, the MOA and all other applicable Federal laws and policies? Do you have the authority? You are all nodding your heads yes.

Mr. Anderson, do you have the authority?

Mr. ANDERSON. Mr. Riggs, I am a staff officer. My boss has the authority. I do oversee, advise and recommend.

Mr. RIGGS. OK. Let me ask the same question of a somewhat different vein. Now this is sort of sensitive, I guess, maybe I will direct it to Lynn and give him an opportunity to respond. Are you empowering your subordinates, your employees, to have full authority under the salvage law and under the Memorandum of Agreement, to make decisions regarding packaging and bidding salvage sales?

Mr. SPRAGUE. What the Memorandum of Agreement does is incorporates this consultation MOU that was signed last spring, some time. I cannot remember when it was signed for sure. But that calls for a—if, at the local level—and I might just say when Jim was talking about additional Fish and Wildlife Service people up there to work with, I do not think they have hired more people, they just redirected their resources to help us get this job done.

But that MOU creates a process for us to work at the local level on ranger district and forest supervisor level. And if there is a conflict between a proposed project, salvage sale in this case, and some aspect of the Endangered Species Act, that they cannot resolve, then the process is to elevate it.

And so we have not had any that—I do not know whether they have had any conflicts, but they have not been elevated any higher.

Mr. RIGGS. They would elevate to the regional level?

Mr. SPRAGUE. Yes. And the regional director of the Fish and Wildlife Service in Portland and I have talked a lot about this and we have a good rapport. I do not think we would have a problem

if one came to us. But they are doing a good job on the ground so far.

Mr. RIGGS. Let me ask one other question, then, it is somewhat technical in nature. I am trying to get a sense, would you agree that those areas that are designate as late successional reserves are overstocked and should be thinned using salvage techniques? Lynn, you have already testified at least with respect to the, I guess it was the Mendocino National Forest?

Mr. SPRAGUE. Yes.

Mr. RIGGS. That you have been able to, I guess, implement a couple of sales in late successional reserves.

Mr. SPRAGUE. The procedure is—

Mr. RIGGS. I know Spotted Owl set asides—

Mr. SPRAGUE. That is right. If we complete the assessment that is called for in the President's plan, or the northwest forest plan, and it is approved, then we can carry out whatever activities we are dealing with—thinning, salvage, roads, whatever.

Mr. RIGGS. And would you agree that those areas are overstocked? Mr. Anderson, go ahead.

Mr. ANDERSON. Mr. Riggs, we have completed on LSR assessment and we did find it to be overstocked. We have identified opportunities for thinning and fuel treatment and other opportunities to develop old growth characteristics that are necessary for species habitat for late successional reserves.

Mr. RIGGS. How much of the Klamath, by the way, is designated as LSR?

Mr. ANDERSON. That information is in the plan I am going to file for the record, but it is about 300—well there is overlapping land classifications, some of the LSR's to be considered.

Mr. RIGGS. Roughly percentage wise, how much of the forest?

Mr. ANDERSON. There is about 25 percent.

Mr. RIGGS. Well I will just conclude my remarks by saying that I really had hoped to hear more urgency today on the part of the Forest Service. We started down this path. It is now late October. The law has been in effect now, let us see, three months.

And I was hoping to really detect more urgency on your part in terms of complying with the law. And I want to make expressly clear, I have read the President's letters into the record. I am going to provide our staff here today with copies for the record, and, again, I am struck by the discrepancy in tone and language and this goes right to your comments, Mr. Sprague, about complying with not only with the letter, but the spirit of the law.

I am struck by the difference between the President's June 29 letter wherein again he says, "I want to make it clear that my administration will carry out this program with its full resources and a strong commitment to achieving the goals of the program." And then it goes on to say "The agencies responsible for this program" obviously that includes USFS, "will under my direction carry the program out to achieve the timber sales volume goals in the legislation to the fullest possible extent."

That is June 29, a little bit more than a month later in a memorandum, again, on White House stationery, signed by the President to the Secretaries of Interior, Agriculture, Commerce and the Administrator of the Environmental Protection Agency, the President

says, "While I am pleased that we were able to work with the Congress to produce this piece of legislation, I do not support every provision, most particularly the provision concerning timber salvage."

And I want to make it clear to you that even if the President of the United States feels he can defy the Congress on legislation that he signed into law, you have no choice as an Executive Branch agency funded by the Legislative branch of government, the Congress, but to comply fully and faithfully with the law.

And as we said in that managers report, and I think I would be remiss of my responsibilities if I did not report out to you, as we said in that report which accompanied the emergency supplemental appropriations and recisions bill, expressing the intent of the Appropriations Committee, we are going to weigh future budget requests from the Forest Service in the context of how well and faithfully you comply with the intent of Congress.

Thank you, Mr. Chairman.

Mr. COOLEY. Thank you, Mr. Riggs. I want to say that I want everybody that are still here and going through this that I want to thank the members of Congress on this task force. And remember, just as you, this is our day off and we came out here.

I think we have learned a great, great deal. I find that this has been one of the more informative field hearings we have had. Actually we have run a couple hours even overtime so it was obvious that we were very, very much interested in it.

I want to thank the city of Redding for allowing us the facility and being here. I especially want to thank Mr. Herger, Congressman Herger, and his staff and the staff from the congressional committee for putting up all the work they have done.

And I want to thank all of the people that have testified that are still here for your work and effort and providing us this very essential information. And also the people of the city of Redding, or the people who at least attended this, I think that you were a very well behaved group. We have had some that were not.

And in fact, actually I will tell you that we have a couple of young, very strong sheriffs here. And I said when people get out of hand we are going to remove them because we have had to do that. And I want to thank you for the courtesy of giving everybody an opportunity to be heard and listen to them very, very patiently.

I think—I do not have to go back and sum up what Congressman Riggs or Longley or Chenoweth or Radanovich or Wally Herger has said except to say to the fact to you that I think we are going away with this meeting and am glad to hear that you people are understanding of what the law is and are going to try to comply with as much as you possibly can.

I think we are a little disappointed that there is no more urgency. I think I am disappointed by Mr. Boynton's testimony that we have only increased three million board feet when we thought maybe we would double that since we gave you an opportunity to do it.

But it is something we have to look into and discuss. I think we are bringing out the points of this piece of legislation that we really felt when we spent the hours of drawing this up in the late nights in cooperation with let us say "the environmental community" as

well as the timber people and everybody that is concerned, that we drafted a piece of legislation that would be embraced by all and that would really help us get through a difficult period we are having here.

Not only help us in such a way as it only created jobs and income for the counties and for the Federal Government, but it also was environmentally sound that would make our forests healthier to give us an opportunity to have a forest in perpetuity for everyone.

And we are not sure now if this is really going to happen or not, but we are going to keep working on it. And we are going to keep having hearings and maybe we will get something out of this.

But I want to thank all of you for coming and I appreciate your time. This committee is now closed. Thank you.

[Whereupon, at 8:15 p.m., the Task Force was adjourned; and the following was submitted for the record:]

THE WHITE HOUSE
WASHINGTON

August 1, 1995

MEMORANDUM FOR THE SECRETARY OF THE INTERIOR
THE SECRETARY OF AGRICULTURE
THE SECRETARY OF COMMERCE
THE ADMINISTRATOR, ENVIRONMENTAL PROTECTION
AGENCY

SUBJECT: Implementing Timber-Related Provisions to
Public Law 104-19

On July 27th, I signed the rescission bill (Public Law 104-19), which provides much-needed supplemental funds for disaster relief and other programs. It also makes necessary cuts in spending, important to the overall balanced budget plan, while protecting key investments in education and training, the environment, and other priorities.

While I am pleased that we were able to work with the Congress to produce this piece of legislation, I do not support every provision, most particularly the provision concerning timber salvage. In fact, I am concerned that the timber salvage provisions may even lead to litigation that could slow down our forest management program. Nonetheless, changes made prior to enactment of Public Law 104-19 preserve our ability to implement the current forest plans' standards and guidelines, and provides sufficient discretion for the Administration to protect other resources such as clean water and fisheries.

With these changes, I intend to carry out the objectives of the relevant timber-related activities authorized by Public Law 104-19. I am also firmly committed to doing so in ways that, to the maximum extent allowed, follow our current environmental laws and programs. Public Law 104-19 gives us the discretion to apply current environmental standards to the timber salvage program, and we will do so. With this in mind, I am directing each of you, and the heads of other appropriate agencies, to move forward expeditiously to implement these timber-related provisions in an environmentally sound manner, in accordance with my Pacific Northwest Forest Plan, other existing forest and land management policies and plans, and existing environmental laws, except those procedural actions expressly prohibited by Public Law 104-19.

I am optimistic that our actions will be effective, in large part, due to the progress the agencies have already made to accelerate dramatically the process for complying with our existing legal responsibilities to protect the environment. To ensure this effective coordination, I am directing that you enter into a Memorandum of Agreement by August 7, 1995, to make explicit the new streamlining procedures, coordination, and consultation actions that I have previously directed you to develop and that you have implemented under existing environmental laws. I expect that you will continue to adhere to these procedures and actions as we fulfill the objectives of Public Law 104-19.

William J. Clinton

MEMORANDUM OF AGREEMENT
ON TIMBER SALVAGE
RELATED ACTIVITIES UNDER PUBLIC LAW 104-19

between

UNITED STATES DEPARTMENT OF AGRICULTURE (USDA)

UNITED STATES DEPARTMENT OF THE INTERIOR (DOI)

UNITED STATES DEPARTMENT OF COMMERCE (DOC)

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (EPA)

AUGUST 9, 1995

BACKGROUND

The President signed the rescission bill, Public Law 104-19, July 27, 1995, that provides supplemental funds for disaster relief and other programs, as well as making cuts necessary to an overall balanced budget plan. The President did not support the provision concerning timber salvage. Nonetheless, the bill preserves the ability to implement current forest and land use plans and their standards and guidelines, and to protect other forest resources such as clean water and fisheries. Accordingly, the President called for carrying out the timber salvage program in ways that further our current environmental laws and programs.

PURPOSE

The President directed, in a letter signed August 1, 1995, that the Secretaries of Agriculture, the Interior and Commerce, and the heads of other cognizant agencies move forward to implement the timber related provisions of Public Law 104-19 in an expeditious and environmentally-sound manner, in accordance with the President's Pacific Northwest Forest Plan, other existing forest and land management policies and plans, and existing environmental laws, except those procedural actions expressly prohibited by Public Law 104-19.

The purpose of this MOA is to reaffirm the commitment of the signatory parties to continue their compliance with the requirements of existing environmental law while carrying out the objectives of the timber salvage related activities authorized by Public Law 104-19. In fulfilling this commitment, the parties intend to build upon on-going efforts to streamline procedures for environmental analysis and interagency consultation and cooperation.

The USDA Forest Service and DOI's Bureau of Land Management are responsible for providing a full range of social, economic, and environmental benefits from publicly owned

natural resources using an ecosystem approach. DOI's Fish and Wildlife Service, DOC's National Marine Fisheries Service and EPA are responsible for providing assistance to, and consultation and coordinating with, the Forest Service and Bureau of Land Management under the Endangered Species Act of 1973 (ESA), National Environmental Policy Act of 1969 (NEPA) and other environmental laws.

NOW, THEREFORE,

THE PARTIES AGREE TO:

1. Comply with previously existing environmental laws, except where expressly prohibited by Public Law 104-19, notably in the areas of administrative appeals and judicial review. In particular, the parties agree to implement salvage sales under Public Law 104-19 with the same substantive environmental protection as provided by otherwise applicable environmental laws and in accordance with the provisions of this MOA.
2. Achieve to the maximum extent feasible a salvage timber sale volume level above the programmed level in accordance with Public Law 104-19 within a framework of maintaining forest health and ecosystem management. Adhere to the standards and guidelines in applicable Forest Plans and Land Use Plans and their amendments and related conservation strategies including, but not limited to, the Western Forest Health Initiative and those standards and guidelines adopted as part of the President's Forest Plan for the Pacific Northwest, PACFISH, INFISH, and Red-cockaded Woodpecker Long-Term Strategy, as well as the goals, objectives, and guidelines contained in the NMFS biological opinion on Snake River Basin Land Resource Management Plans (LRMPs), through the interagency team approach agreed to in the May 31, 1995 agreement on streamlining consultation procedures. The agencies will direct their level one and two teams to apply the goals, objectives, and guidelines contained in the NMFS biological opinion on the Snake River Basin LRMPs as the teams deem appropriate to protect the anadromous fish habitat resource.
3. Involve the public early in the process so that there is an opportunity to provide input into the development of salvage sales, particularly in recognition of the importance of public involvement given the prohibition to administrative appeals contained in Public Law 104-19. Maintain and promote collaboration with other Federal, Tribal, State and local partners.
4. Reiterate their commitments to work together from the beginning of the process, particularly in salvage sale design, building on existing joint memoranda that streamline consultation procedures under Section 7 of the ESA including the following two agreements, other applicable agreements, and improvements thereon:
 - o - The May 31, 1995, agreement on streamlining consultation procedures under section 7 of the ESA, between Forest Service Regional Foresters of Regions 1, 4, 5, and 6; Bureau of Land Management State Directors for

Oregon/Washington, Idaho, and California; Fish and Wildlife Service Regional Director; and National Marine Fisheries Service Regional Directors.

- o - The March 8, 1995, agreement on consultation time lines and process streamlining for Forest Health Projects, between the Chief of the Forest Service, Director of the Bureau of Land Management, Director of the National Marine Fisheries Service, and Director of the Fish and Wildlife Service.
 - o - The March 8, 1995, agreement as it applies to consultation timelines and process streamlining will be revised to apply nationwide.
5. Ensure that personnel from their respective agencies work cooperatively and professionally to implement faithfully the objectives of Public Law 104-19 and Executive Branch direction in a timely manner. In the event that disagreements cannot be resolved at the regional level (Level 3) of the process, a panel consisting of appropriate representatives of the Forest Service, Bureau of Land Management, National Marine Fisheries Service, Fish and Wildlife Service, and EPA, will review the evidence and make a binding decision within 14 days of notice of the disagreement.
 6. Agree to conduct project analyses and interagency coordination consistent with NEPA and ESA (as set forth in paragraph 4 of this MOA) in a combined joint environmental assessment (EA) and biological evaluation (BE) called for in Public Law 104-19, except where it is more timely to use existing documents. There will be a scoping period, as described in agency guidelines, during the preparation of all salvage projects. Sales that would currently fall within a categorical exclusion promulgated by the Forest Service or Bureau of Land Management in their NEPA procedures will require no documentation absent extraordinary circumstances. For sales that the Secretary determines, in his discretion, ordinarily should require an EA under the land management agencies' NEPA procedures, agencies will prepare the combined EA/BE, including a determination of affect under ESA and circulate the analysis for 20 days of public review and comment. For sales that the Secretary determines, in his discretion, ordinarily should require an EIS under the land management agencies' NEPA procedures, the combined EA/BE will include an analysis consistent with section 102(2)(c) of NEPA and will be circulated for 30 days of public review and comment. The decisionmaker will respond to substantive comments on the EA/BE, but will not be required to recirculate a final EA/BE.
 7. Develop and use a process which will facilitate interagency review of proposed salvage sale programs on a regional scale, thus allowing other agencies to identify broad-scale issues and help set priorities for allocation of their resources.
 8. Include mitigation needs identified in the environmental assessment in timber sale design to the extent possible within existing authority. As appropriate, funds will be used for mitigation work not included in the timber sale area.

9. Measure performance of all parties' and individuals' efforts involved in the development and implementation of timber sales prepared pursuant to this MOA based upon the combined achievement of the goals set forth in this MOA.
10. Monitor and evaluate timber sale objectives and mitigation requirements as an integral part of salvage sales and the salvage program as prescribed in Forest Plans, Land Use Plans and agency direction. Public and stakeholder involvement in monitoring and evaluation will be encouraged. There will be a national salvage program review involving regions and States with significant activity under this Act.
11. Recognize and use the definition of salvage timber sale as contained in Public Law 104-19, which is a timber sale "for which an important reason for entry includes the removal of disease or insect-infested trees, dead, damaged, or down trees, or trees affected by fire or imminently susceptible to fire or insect attack." This definition allows for treating associated trees or trees lacking the characteristics of a healthy and viable ecosystem for the purpose of ecosystem improvement or rehabilitation as long as a viable salvage component exists. While this definition provides necessary flexibility to meet salvage objectives, care must be taken to avoid abuse by including trees or areas not consistent with current environmental laws and existing standards and guidelines as set forth in this MOA.

This Memorandum of Agreement is intended only to improve the internal management of the Federal Government and does not create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

The undersigned Agency heads attest that they understand the direction in this Memorandum of Agreement and will fully comply with that direction.



JAMES R. LYONS
Under Secretary
Natural Resources and Environment
Department of Agriculture



GEORGE T. FRAMPTON, JR.
Assistant Secretary
Fish and Wildlife and
Parks, Department of
the Interior



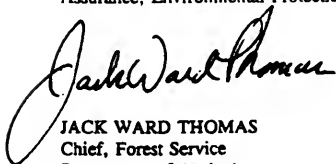
DOUGLAS K. HALL
Assistant Secretary for Oceans
and Atmosphere
Department of Commerce



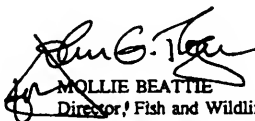
ROBERT L. ARMSTRONG
Assistant Secretary for
Land and Minerals
Management, Department of
the Interior



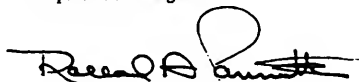
STEVEN A. HERMAN
Assistant Administrator for
Enforcement and Compliance
Assurance, Environmental Protection Agency



JACK WARD THOMAS
Chief, Forest Service
Department of Agriculture



MOLLIE BEATTIE
Director, Fish and Wildlife
Service, Department of the Interior



ROLLAND SCHMITT
Director, National Marine Fisheries
Service
Department of Commerce



MIKE DOMBECK
Director, Bureau of
Land Management,
Department of the Interior

United States
Department of
Agriculture

Forest
Service

Washington
Office

14th & Independence SW
P.O. Box 96090
Washington, DC 20096-6090

File Code: 2400
Route To:

Date: October 2, 1993

Subject: Thunderbolt Recovery Project

To: Regional Forester, R-4

As of the date of this letter, I am authorizing you to proceed with issuing the Record of Decision for the Thunderbolt Recovery project. I expect you to move rapidly in an environmentally sensitive manner to begin the watershed restoration and to advertise the timber salvage sales.

I appreciate your efforts in using the best science in the development of this project. I am also appreciative that through your efforts, in the final configuration of the sale, environmental concerns have been thoroughly identified and appropriate mitigation will be incorporated into the project. I encourage you to continue involvement of the public and other agencies as the recovery project has been planned.


JACK WARD THOMAS
Chief



INLAND EMPIRE PUBLIC LANDS COUNCIL

a non-profit forest conservation organization

Mike Petersen

Field Representative, Forest Watch Program

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My name is Mike Petersen. I am employed by the Inland Empire Public Lands Council to monitor and help local citizens monitor timber sales from planning to implementation. I have recently been appointed to the Eastern Washington Resource Advisory Council that Sec. of the Interior Bruce Babbitt has charged with advising the BLM and Forest Service. I am a mechanical engineer by training, Chair of the Ferry County Solid Waste Advisory Committee, and serve on several other volunteer committees. I have been employed by IEPLC since 1993.

Our monitoring program is in its second year, we have 24 timber sales on 7 National forests. We monitor on the ground compliance with Forest Service Decisions, Forest Plan Standards, and applicable Federal and State statutes. We have found substantial violations on 23 of those timber sales. These include boundary violations, leave tree and snag violations, road construction or maintenance violations, riparian buffer violations, soil compaction and equipment operation violations, and timber theft. In addition to the specific violations, many poor logging practices have been found, including damage to soils and leave trees, and noxious weed invasions. Poor regeneration of units, blowdowns within and on the edge of the units, damage to streams and riparian areas and grazing damage are also frequently seen. Rather than split hairs, we have sought to document the most obvious violations. We have shared our findings with the Forest Service, the response have ranged from concern to denial.

The following 24 sales have been monitored on seven National Forests since 1994:

Colville NF: Calispell (Pend Oreille Environmental Team), Cooked, Blacksmith, Lake Butte (Kettle Range Conservation Group), Copper Butte
Wallowa-Whitman Middle Buck Corral (Grande Ronde Resource Council(GRRC)), Walnut (Friends of Lake Fork), Isham and Lower Montaine (Blue Mtn. Environmental Council(BMEC)), Eagle Paddy (BMEC, Friends of Lake Fork), Sawtooth/Sardine (GRRC, BMEC)

Clearwater NF: Plum Pickle (Idaho Conservation League)

Idaho Panhandle NF: Kings Ridge (Jo Austin), Ojibwe, Twelve Mile (Selkirk Priest Basin Assn.)

Okanogan NF: Lyman, Aeneas, (Tonasket Forest Watch); Little Lakes (Methow Forest Watch), Bannan (KRCG), 8 Mile (Northwest Ecosystem Alliance, MFW), Nicholson (Tonasket Forest Watch)

Nez Perce NF Noble (Alliance for the Wild Rockies, Cove Mallard Coalition, Ecology Center)

Kootenai NF 4th of July, (AWR, Ecology Center, Sandpoint Forest Watch), Arbo

Below are a few examples of what we have found, we believe that the Forest Service needs more public oversight, not less as the Salvage Rider is proposing to do. Here are just a few examples of violations on both green and salvage sales.

A road on the Middle Buck Corral sale, La Grande Ranger District, Wallowa-Whitman NF was continually eroding into the headwaters of a salmon creek. Finally, over a year

from when we first reported the problem, and two days after we again visited the site, the road was repaired.

The EA and Report of Timber Sale for the Calispell timber sale, Colville NF, state that riparian buffers are supposed to be 100 feet, our measurements showed less than 40 feet in places. At the bottom of the unit, new sediment was found to a depth of 2 inches in some of the pools. In response, the District Ranger wrote that the Forest Plan didn't specifically say they were required to have 100 foot buffers, implying anything written in the EA or contract is not a requirement of the sale. We also found bark with a blue sale tag for Unit 4 lying on the ground, indicating that a boundary tree was stolen. Numerous fresh stumps on the downhill side of the road attest to the extent of the operation - heavy equipment must have been employed, perhaps cable logging equipment. Proper closure of this road, required by the Colville Forest Plan, would have likely prevented this theft of public property. Unit 7 is a 12 acre unit, the requirement was to leave 4 wildlife trees per acre. We counted 3 trees total in this clearcut, and one of those was quite small. This is a deficit of 45 trees in this one unit alone.

The Little Lakes Sale, Okanogan NF, has inflicted permanent damage to public lands. Unit 32 was burned too hot during post sale prescribed burning, most of the remaining trees in the unit were scorched, few will survive. The duff layer has been reduced to less than a half inch, and down to mineral soil in some cases. Trees outside the boundary were damaged by the fuel "treatment". Unit 28 was also burned too hot, the clump of leave trees within the unit were killed. The specific implementation information said to leave 8-10 "mature upper crown level trees" per acre, which would be 80 to 100 trees for this ten acre unit. We counted 35, few of which would classify as mature trees. Snags and snag replacement trees in Unit 22 are completely missing, only a few small trees remain.

Soil damage on the Sawtooth/Sardine sale, Wallowa-Whitman NF is extensive. Even the Forest soil scientist, on a follow-up visit agree that compaction in two units was probably 25%, not including a large compacted landing area. This exceeds the Forest Plan Standard of 20%. We also found no woody debris had been left on the ground, as required in the Decision and contract.

The 8-Mile Sale, Okanogan National Forest contains many clearcut units. Three of these units were monitored, the prescription was to leave 3 trees per acre 12 inches or larger. Two of the units left no trees this large at all, the other unit left trees in a small portion of the unit. Several other partial cut units also did not have the required number of trees left. Many of the units are on unsuitable, rocky soil - they were clearcut despite Forest Plan standards that do not allow logging on unsuitable sites. This sale logged on rocky outcrops and soil so poor that a five inch diameter tree was 175 years old. Unfortunately, the sale planner has discretion to determine what is suitable. Despite an agreement with several environmental groups to keep cows out of several springs and an intermittent creek in Unit 14, we observed cows and cowpies wallowing in the once pure mountain water. As a result of our monitoring the District Range has agreed to leave an additional 104 trees in the one uncut unit.

The record on salvage sales is no better. In 1989 the White Mountain Sale, Colville NF, was logged after a fire. We discovered the logger had driven heavy equipment through a wetland, knocked down the few remaining green trees in the area, and was skidding logs across a creek. The Forest Service didn't discover these violations, citizen oversight did.

The Arbo Timber Sale, Kootenai NF, is a 1993 salvage sale that was not subject to appeal. Our monitoring showed buffer and boundary violations. As a result of this and past logging Arbo Creek is completely exposed to sun and sediment washes down the road, into the creek with every rainstorm. Montana water quality standards were violated in unit after unit by inadequate buffers. For example, Unit 1 had a skid trail, soil fully exposed, between two channels of a perennial creek are a few feet on either side. This will likely become a third channel as the soil erodes with every rain event. Of particular note was nearly a quarter million dollars spent upgrading a nearby road that the log trucks do not even use to haul logs out with. Another unit has a skid trail 30 feet from a perennial creek, even intermittent creeks were supposed to have a minimum 50 foot buffer zone.

The Fourth of July timber sale, also Kootenai NF, is a complete disaster. This salvage sale, which was created when logging slash burned out of control in 1992, was monitored this summer by IEPLC. We found dozens of contract violations: skid trails through live streams, huge slash piles left to rot, documented timber theft, and an incredible 10 million board feet (2000 log trucks) added after the environmental assessment and decision was signed. Like the Arbo, this sale was not subject to public oversight.

Two other so called salvage sales are notable. The Nicholson Sale, Okanogan NF went through the NEPA process in 1992. In the final decision, Supervisor Sam Gehr allowed two salvage sales to be created from the Nicholson sale, these were categorically excluded from public oversight. These salvage sales supposedly had to be logged immediately to prevent loss of merchantable timber. We monitored this sale in September 1995 and found the Nicholson sale has been logged, but units in the salvage sale are still unlogged - the "emergency" was a ruse to exempt part of the sale from appeal and litigation.

On the Lower Montane Wallowa-Whitman NF much the same story. This was declared a salvage sale and exempted from appeal in 1992, due to the imminent catastrophic loss by pine bark beetles and spruce budworm. Our inspections in 1994 showed most of the units were not logged, and that the emergency was another ruse to exempt this sale from public oversight.

Predictions of massive insect outbreaks or loss from catastrophic fire have been proven wrong again and again. Nearly every sale put out from 1991 to 1993 on the Tonasket District of the Okanogan NF, and the Republic District of the Colville NF was said to be based on the impending invasion and catastrophic loss by spruce-budworm. This never

occurred, yet thousands of acres were logged with this ruse. As any reputable scientist could have noted, insect populations are endemic and cyclic and serve an important function in the ecosystem.

Now we have both Baker City and La Grande Oregon preparing to log their watersheds. In both cases the Forest Service alarmed the public after the Storm King fire (which was in shrub/grassland by the way). They want to log and build roads to protect the residents water supply. There is no evidence that the logging will reduce fire risk, in fact opening up these watersheds will increase sedimentation and dry out the soils and allow more undergrowth to occur - we will be there to monitor the expected damage. We asked the Forest Service if they will buy these cities a filtration plant when the water quality inevitably degrades - they had no response.

Bad science, or science fiction, has driven timber sales for decades. In the past many timber sales called for the total removal of mistletoed trees. This was to stop the spread of this "disease" from older trees onto young ones. Scientists knew even then that this method of high grade logging spreads the mistletoe. The young trees, which have already been exposed to mistletoe spores start showing symptoms as soon as the canopy is opened up by taking out the older trees. We also know that many species thrive on the special habitat of mistletoe trees. Despite this some Forests are still trying to eliminate mistletoe, we see this as a ruse to get out the cut.

As my last example, consider the White Pine timber sale, located just a hour from here, on the Clearwater National Forest. In 1993 we appealed this sale, on the grounds that it would destroy the last intact stream on the District. The District's own hydrologist acknowledged it as the only stream in good condition, not coincidentally it is the last unroaded watershed. We won our appeal, this damaging project was withdrawn. Now, the rider you voted for has passed, and this project is about to be released as a salvage sale. I invite all of you out there before it gets logged and again after the Forest Service trashes the last good fishing stream in the area.

Hundreds of violations, on nearly every sale we have monitored, prove that the Forest Service does not adequately monitor itself. In most cases the violations are made by Forest Service personnel, rather than the logging contractor. Timber sales are complex projects that put the land and wildlife at risk if not completed properly. Our oversight, whether by appeals, litigation, or monitoring, has proven essential to the protection of publicly owned land. To remove our opportunity for this oversight, and to accelerate logging at this time is an ill conceived idea that will rob future generations. Logging without laws, as the Salvage Rider will allow, is a backward step and shameful in a democracy.

(Submitted by Joan Smith)

SISKIYOU COUNTY LOGGERS

<u>PHONE #</u>	<u>NAME</u>	<u># PEOPLE EMPLOYED _IN 1989_</u>	<u># PEOPLE EMPLOYED _IN 1995_</u>
467-3959	G & K Logging	0	2
467-5695	H & G Logging	13	13
496-3443	Mark Thomas	1	1
469-3460	Ross Cornwell	25	2
493-5150	N.W. Skyline	25	5
493-2754	Norman Herman	1	0
493-2652	Kenny McCully	14	7
467-3267	Franklin Logging	125	25
842-0831	John Semple	12	1
493-2622	Harold Smith	37	4
493-2866	High Horse Logging	2	2
465-2335	Chuck L. Logging	30	15
842-5160	Snap Top Logging	0	2
468-2669	Jim Johnson	0	7
926-2456	Accord Logging	55	30
926-2477	Darrah Logging	See Accord	5
842-3176	Chuck Schnepp	5	3
467-5341	Bill Krueger	0	3
468-2336	Bob Evans	1	2
468-2999	Ken Dysert	0	6
468-2949	Bob Smiley	3	3
493-2801	Foster Logging	23	3
938-2227	Edgewood Logging	0	5
468-5410	Duane Kennedy	0	2
842-2252	Ederick Logging	8	17
938-3014	McCarrol Logging	14	2
938-2499	T & Y Logging	33	9
459-5560	Roy Pace	25	9
926-4263	Marvin Slover	6	4
496-3272	Mark Crawford	13	15
842-5560	Walt Moody	0	3
496-3457	Rudy Murren	3	3
493-2371	Attebury & White	4	0
493-5266	ADC Logging	8	8
926-2790	Cheek Cut Logging	38	30
926-4778	F W Porteous Logging	70	3
926-2094	Schwartz Logging	27	0
549-4924	Garry Franklin	85	0
493-5281	Tom White	See Attebury	2
468-5138	Ron Bennett Logging	8	2
926-6087	Richard Porteous	0	2
926-4778	Dave Richardson	12	12
842-6606	LC Logging	30	3
938-3302	John McGary	15	0
926-4010	Mike Brown	40	6

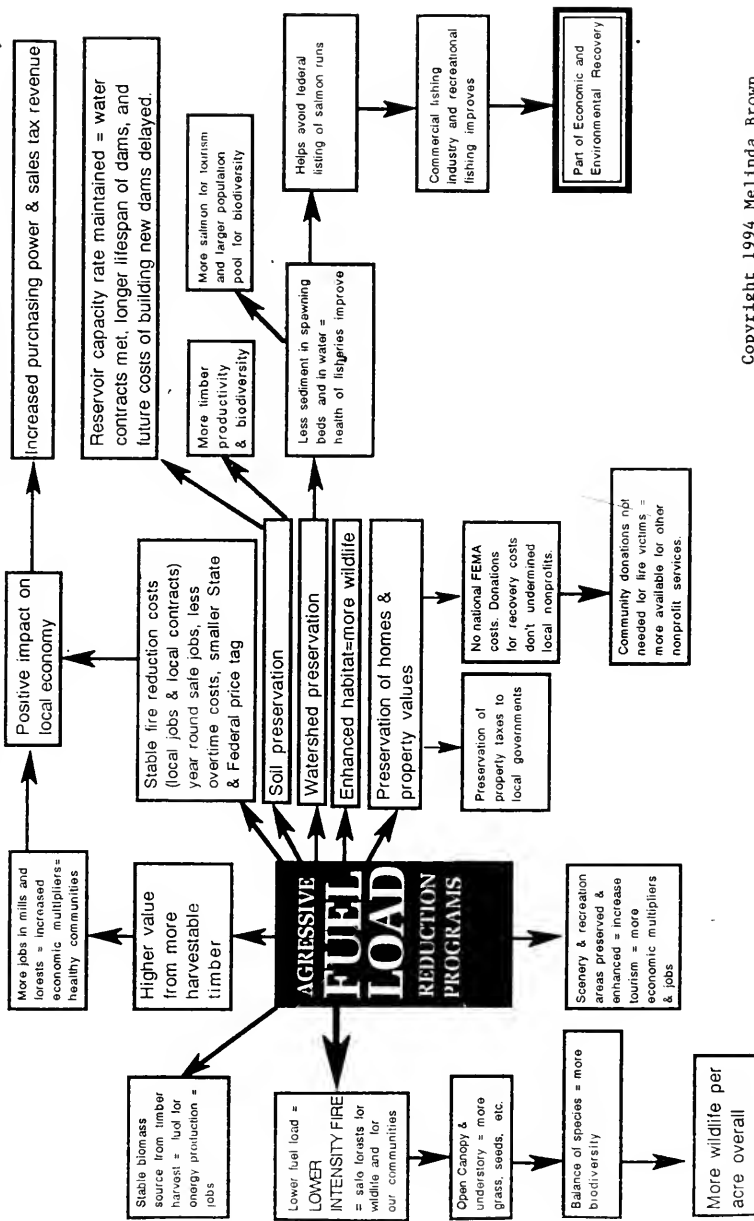
938-4120	Ross Sanders	12	10
964-2773	Frank Wood	15	1
467-3912	Wayne Meek	0	2
493-2028	Vernon Layton	18	8
842-5548	Rodan Logging	10	5
493-2875	Walt Whitman	30	2
842-1434	Bill Meadows	0	3
926-2164	Gene Spencer	0	3
468-5560	Vern Boudro	5	2
467-3788	Charles Snapp Jr.	4	0
467-3111	Jay Denny	8	0
468-2463	W.S. Cramer Logging	15	0
496-3129	Ken Oliver	4	2
468-5266	Golden Hoof Logging	10	10
235-4335	Jim McColpin	0	2
842-5813	Joe Roberson	6	0
467-5198	John Owens	3	3
TOTALS		951	331
JOBS LOST 1989-95			620

- Siskiyou County has lost 65% of it's logging jobs since 1989.

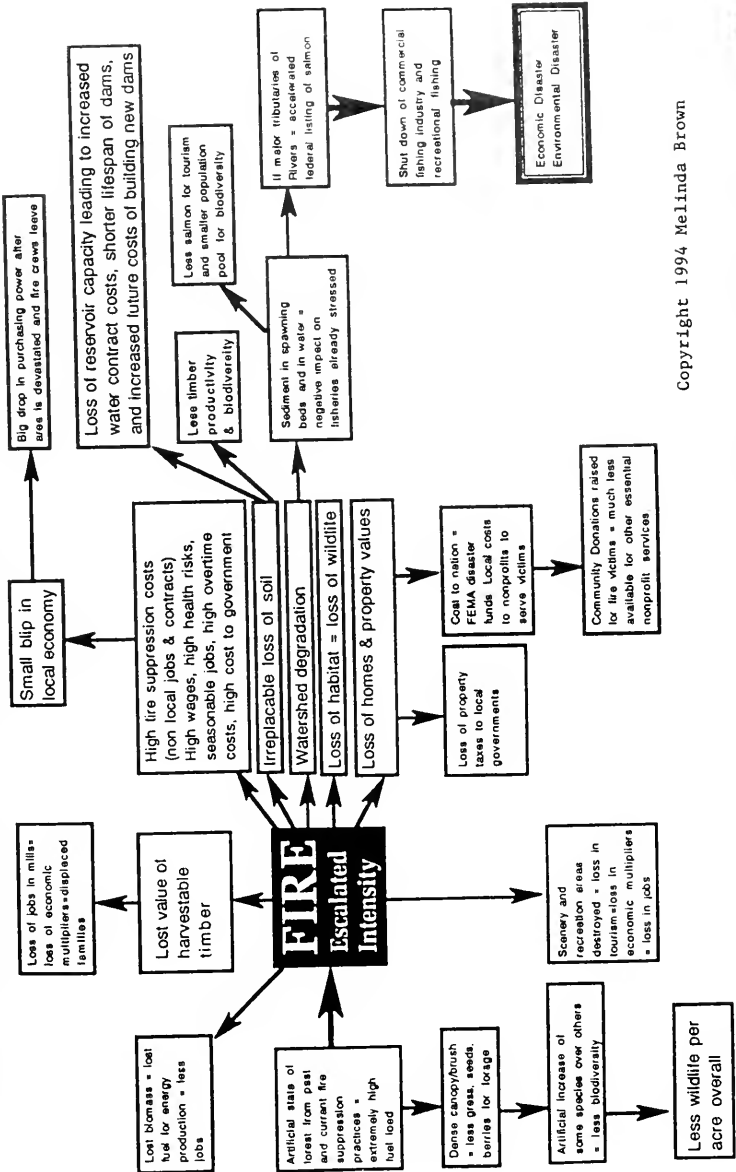
This research conducted by Mike Duguay April 12 - 20 1995. All loggers listed were personally contacted by Mr. Duguay. All known public records, as well as word of mouth, were used to account for above list. This information is the most accurate and complete listing possible.

The Beneficial Role of Fire in Our Forests and Our Communities

(Submitted by Melinda Brown)



The Negative Role of Fire in Our Forests and Our Communities



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Hot Views on Hot Topics

National survey gauges public views on forests, wildfire, and management

By early October over 3.8 million acres of lands had burned in wildfires in 1994, 64 percent more than the five-year average of 2.3 million acres. The firefighting cost to federal agencies alone has been nearly \$1 billion. To gauge how we Americans perceive and feel about issues of wildfire and forest health, American Forests commissioned a national survey of public opinion. The following highlights were revealed as this issue went to press.

The survey shows a significant awareness of the extent of wildfires this year: 49 percent responded that the amount of land burned this year was greater than average, just 7 percent thought the burned area was less than average. Fifty-five percent of the public believe that the Forest Service should extinguish all wildfire, versus 36 percent who would allow more fires to burn themselves out. The use of controlled fire, supported by 49 percent nationally (and opposed by 42 percent), is favored by 67 percent of those in the Inland West.

The majority of American voters (52%) favor managing forests as opposed to letting nature taking its course (40%). To 47 percent this includes logging on the national forests, though a nearly equal number (44%) oppose timber harvests.

The number of those who would expedite post-fire salvage logging, even by limiting legal challenges (48%), was balanced by those who favor keeping all legal avenues intact (43%). Most Americans clearly do not favor building new roads for fighting fire, logging, and recreation access. Nationally, 55 percent oppose more road building and 40 percent favor it. The sentiments were true for all regions, even rural areas of the West.

The Forest Service received high approval ratings as an agency (74% responded very or somewhat favorably), followed by environmental organizations (64% favorably), state forestry agencies (47%), timber companies (36%), and the Bureau of Land Management (33%). The public strongly believes the Forest Service should be given more management flexibility as opposed to being more closely regulated by Congress (74% to 17%).

For detailed survey results send \$10 to Forest Survey, P.O. Box 2000, Washington, DC 20013.—DAN SMITH and LANCE CLARK

About the Survey:

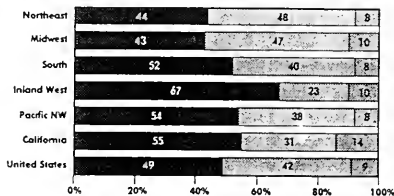
Sample size: 1,000 registered voters

Margin of error: 3.2% for national figures

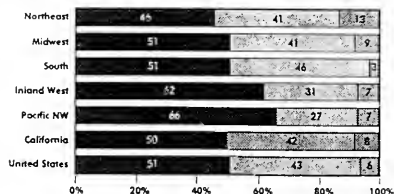
Dates fielded: October 6-9, 1994

Firm: Frederick/Schneider, Inc.

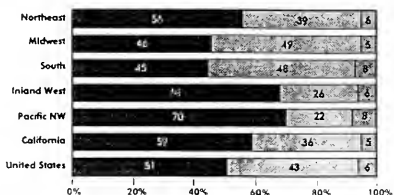
■ Favor □ Oppose □ No Opinion
Do you favor or oppose the use of controlled fire?



Should dead trees be logged after wildfires?



Do you favor the use of thinning to improve national forests?



High Sierra Resource Conservation and Development Area

Fuel Reduction Workshop, Colfax, CA

July 13, 1994

Introduction and Historical OverviewBob Roan, Project CoordinatorHigh Sierra Resource Conservation and Development Area

Wildfires in California are a part of nature. Catastrophic wildfires in California are man-made. The reason we say wildfires are man made is because past management systems have created such a large fuel load that wildfires of a catastrophic level are now common place. The costs of suppression, damages to property, loss of natural resources, and the reduction of private sector productivity far exceeds any acceptable level (see exhibits A, B and C). A fuel reduction program is necessary if there is any hope to reduce and control wildfires.

Exhibit A1992 Cleveland Fire Costs

Timber Value.....	\$230,000,000.
Suppression Cost.....	18,000,000.
41 Structures.....	3,500,000.
Marketable Biomass.....	1,000,000.
PG&E Aqueduct Destroyed.....	7,000,000.
CalTrans Equipment Lost.....	250,000.
SMUD Equipment Lost.....	175,000.
Business Interruption.....	200,000.
Air Tanker Lost.....	200,000.
Total Cost in Dollars.....	\$260,325,000.
PLUS: 2 LIVES LOST; 72 INJURIES.	

Exhibit BLoss of Human Life

<u>Year</u>	<u>Fire</u>	<u>Number of Deaths</u>
1989	Molera #2	1
1990	Paint, Mendocino, California	4
1991	Tunnel	25
1992	Cleveland, Sandia, Chino	7
	Williams, Bowman, Conners	3
	Lookout, Helegation, Mar 827	3
	State, Howard, Butler	3
	Topanga, Glenallen, Lime	6
1993	Merced, Lee, UCSC	4
	Mt. Shasta, Kinneola	3
TOTAL LIVES LOST		59

High Sierra Resource Conservation and Development Area

Exhibit C

Partial List -- Wildfire Suppression Costs in Acres and Dollars

Year	Fire	County	Acres	Cost in \$
1990	Stoney	Kern	24,200	12.0 million
1990	Arch Rock	Mariposa	11,610	8.0 million
1990	Bedford	Riverside	3,500	1.3 million
1990	Rock	Trinity	1,290	1.9 million
1991	Lion	Ventura	1,905	1.1 million
1992	Dillon	Los Angeles	75	.5 million
1992	Old Gulch	Calaveras	17,955	13.0 million
1992	Cleveland	El Dorado	24,580	18.0 million
1992	Fountain	Shasta	63,960	24.0 million
1993	Marre	Santa Barbara	43,221	149.6 million
1993	Green Meadow	Ventura	40,051	-
1993	Steckle Park	Ventura	26,741	-
1993	California	Riverside	25,100	-
1993	Ortega	Los Angeles	21,392	- approaching
1993	Guejito	San Diego	26,722	- 1 billion
1993	Laguna Canyon	Orange	14,808	-
1993	Topanga Canyon	Los Angeles	16,885	-
1993	Other Fires	So. Calif.	21,767	-

Bob Irwin, Wild Land Fire Safety ConsultantU.S. Forest Service, ret.

Bob spoke from a different perspective that ties in with the workshop theme. Even with the best fuel modification and management activities, California will still suffer the occasional catastrophic wildfire.

Smoky Bear was conceived during the 1940s. In 1947, Bob began work for the U.S. Forest Service on a fire suppression crew. The Groveland fire occurred in August of that year. 40 acres were burned and 20 people with hand tools were able to put the fire out. As of 1994, three times the fuel loading has built up in comparison to 1947 conditions in the same Groveland area. Between 1982 and 1994, three fires have occurred there. All have required extensive suppression efforts (air attack, dozers, etc.) to control.

In the 1950's more equipment was purchased for fire suppression. During the 50's, it was thought that slash deteriorated in 15 years. This thinking, coupled with congressional demands for more timber sales, brought about the beginning of slash build-up in the national forests. In addition, local jurisdictions focused upon growth; structures were built in the wild lands. Management did not foresee any problems with fuel build-up or with structures located in wild lands then, yet, 1/4 million acres burned in the 1950's on National Forest lands in California.

In the 1960's, air suppression programs were greatly expanded. Fuel loading was not recognized then as a problem by management. They blamed increased fire losses upon "green"

High Sierra Resource Conservation and Development Area

Landowners will need to look upon biomass power generators as an alternative means of biomass disposal. Other alternatives that the landowner should look at to get rid of biomass materials include

- saw logs, this may bring the most money
- pulp wood
- other biomass uses
- leave at a biomass power facility; this alternative may produce less of air pollution
- leave the chips in place
- prescribe burning
- land fill.

Dr. John Shelly, Wood Scientist U C Berkeley Forest Products Laboratory

From a wood scientist's perspective, the basic question for biomass utilization is 'what can we do with this resource?' Biomass has energy value when it burns. Biomass may also be utilized to manufacture value-added products. Biomass is a complex mixture of many vegetative species, each having different properties. Yes, biomass can be utilized, but with difficulty. More research is needed to find new value-added products for biomass. Some of the commercial species of plants have been researched, but not the mixed bag of biomass.

Biomass contains lignose-cellulose. This makes biomass a potential chemical feedstock. Even though biomass materials are difficult to work with, they can be used in manufacturing. Biomass is not suitable for traditional forest products such as particle board, paper, lumber, etc. because biomass has too large a range of densities. New adhesives would be required that make even a composition board product unfeasible. Sorting out the fibers first, however, increases possibilities.

Short lengths of pieces could be utilized. The Hardwood Industry in California already utilizes shorter pieces to manufacture many value added products, such as veneers and flooring. Small trees and branches could be utilized for this purpose. Chips are easy to make. The big market for chips is pulp. There is an economic issue that looms here -- transportation. At some point the transportation costs diminish profits altogether. Therefore, chips must come from a source nearby. Exporting materials to Japan, however, remains a possibility, since they pay higher prices for their manufacturing resource materials. Activated carbon made from manzanita is another possibility. This product is needed for industrial filters.

As a chemical feedstock, biomass presents a diverse chemical constituency. On average, 50-70% of the material is cellulose, 20% is lignin, and the other 10% is called 'extractives'. A host of chemicals can be made from this feedstock. Included are polymers, pharmaceuticals, and ethanol. Ethanol shows promise due to pending changes in legislation that will require us all to use oxygenated fuels in our cars, resulting in overall cleaner tailpipe emissions. No single species is required for ethanol production. A range of biomass could be utilized, including urban waste, and up to 50-60% of materials going into landfills today. The recipe for ethanol is to mix biomass with nitric acid to ferment. After fermentation, the material consists of sugars, lignins,

High Sierra Resource Conservation and Development Area

and residue Nitric acid is added again, to make sugar water and lignin residue Lignin residue is a good fuel source. The sugar water is then primed with yeast to make alcohol Other products such as adhesives could be made from the resulting brew The economics work without subsidy to make wood alcohol. Urban intermix areas have the potential to make this industry pay for biomass removal.

Questions and Answers

Catastrophic fires cost PG&E extra due to equipment losses. Could utilities, therefore, pay an extra premium towards fuel reduction for prevention of catastrophic fire? PG&E as a property owner is interested in management and will pay to the extent that their lands are affected by fire danger. PG&E views this as a separate issue from where they purchase their power.

Has PG&E put a price upon reservoir maintenance? PG&E does not mix what they deem separate issues. All logging operations upon PG&E lands include a hogging of the slash. That solution turned out to be the most economic solution of the fuels problem for their lands.

Biomass power generation plants reduce air pollution by the same amount as removing 1.6 million cars off the highways. Biomass power generation plants reduce land fill volumes by the same amount that a city of 3 million people would produce. Biomass power generation plants contribute to fire-proofing 50,000 to 60,000 acres every year. Why hasn't the power industry adopted a long term perspective, which is crucial to the success of the environment and society in California? The PUC now endorses the utilization of a diversity of fuel types, yet they no longer give special subsidies for alternate fuels. Use of biomass for power generation is supported by CARB for the reduction of overall emissions. PURPA contracts can be renegotiated for a 10 year period, however the rates must not saddle consumers with a high cost. For more leverage in changing the PUC's position, write to the Commission and to your legislators.

PG&E supports environmental concerns and social programs. When the rate payers and the taxpayers are one, then PG&E accepts the extra costs. Once the industry becomes deregulated, however, then parity is needed industry-wide to ensure fair competition among power producers.

The main line to PG&E coming in from Oregon will bring cheaper power to customers. The power generation from biomass, 1.4%, is miniscule in the overall power grid. Also, doesn't this power line from Oregon include public investment? Biomass as hog fuel is in its infancy. Shouldn't the power industry give this technology a longer try? The new line is NCPA, a public line. PG&E is a minor partner.

Who will pay for the rural transmission of power generated by competing power plants, once this industry is deregulated? The use of lines to transmit power will be paid to PG&E by producers or consumers. This issue is at the heart of the current debate over deregulation currently underway at the PUC. The commission is also considering how these transmission costs will be calculated.

Page three

FOUNTAIN FIRE STATISTICAL SUMMARY

64,000 acres burned -- 14th largest fire in California's history

201 homes/554 other buildings were saved by the firefighters

272 homes/489 other buildings were destroyed by the fire

No Deaths or Serious Injury to the Public or Firefighters

Suppression Cost: \$20 Million Dollars

Total Resources Committed:

4,300 Firefighters

250 Engines

101 Dozers

10 Airtankers

12 Helicopters

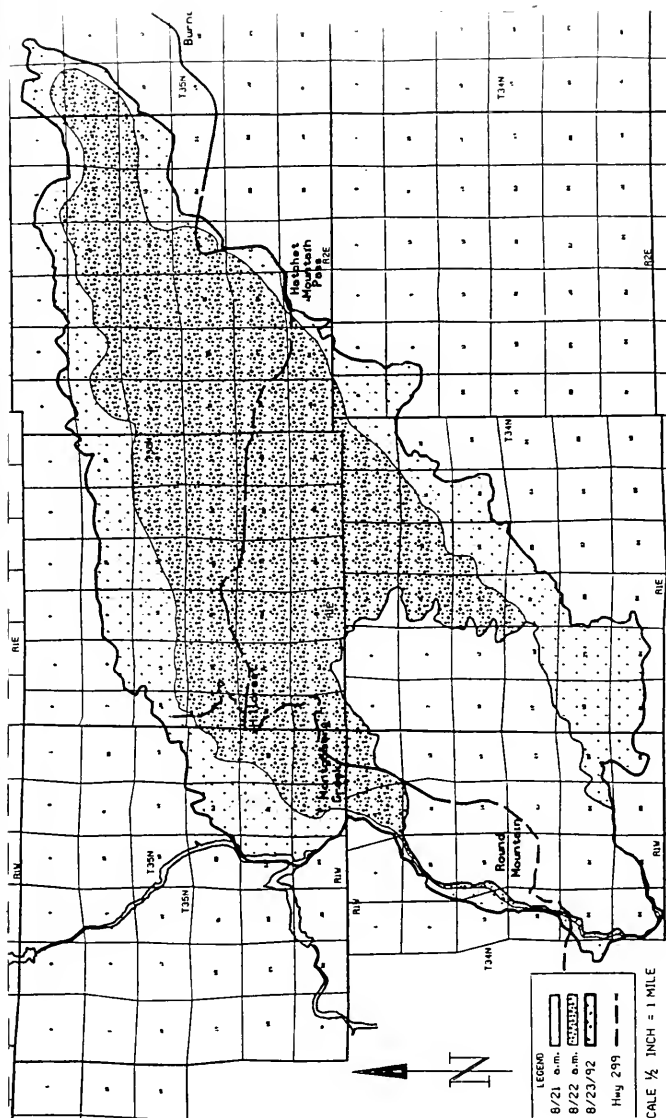
93 Water Tenders

200 Pickup Trucks

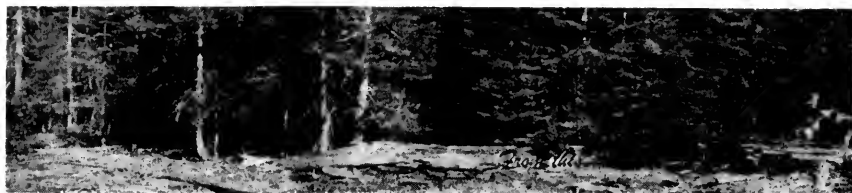
180,000 Gallons of Retardant (first day)

214,000 Gallons of Retardant (second day)

SHU 6/08/93



Fountain Fire (24 hour periods)



This is a frequent California forest scene — an overstocked stand of trees with each competing for limited water, sunlight, and nutrients. Often nature intervenes through insect attacks or disease and, eventually, catastrophic wildfire. This picture was taken east of Redding, Calif., in 1988, prior to a biomass harvesting operation.

Forest Fuels Management Through Biomass Harvesting

The Basic Problem is

Too Many Trees!

100 years of forest protection and fire exclusion plus eight years of drought



Overgrown forests in many locations choked with vegetation



Potential for catastrophic wildfire

The goal of a biomass harvest is to create a forest that is healthy, fire resistant, and provides improved habitat for fish and wildlife.

Biomass, in this case, includes all living or dead vegetation on a site. Designed by Registered Professional Foresters, a biomass harvest leaves the best trees and removes the excess vegetation to create desired forest conditions — similar to those which existed here in the 1800's.

The Forest is Always Changing

A healthy forest is resilient and accommodates change. It is alive, sustainable and biologically diverse and has the vitality to perpetually provide clean air, clean water, wood products, wildlife and fisheries habitat.

The color photos in this brochure were taken of a biomass harvest east of Redding, Calif., and show

- ☐ a typical overstocked stand, the result of many decades of fire exclusion
- ☐ the same stand immediately after the harvest with the desired trees left standing
- ☐ the same scene six years later as growth continues.

After the biomass is removed, the remaining trees will continue to grow and mature, but at a faster rate than before since there is less competition for sunlight, water and nutrients. The extra sun and water will stimulate new growth on the forest floor, providing food and shelter for wildlife. In some cases, a prescribed burn or another biomass harvest may be needed in 10-20 years to maintain the health and vigor of the forest.

Historical Perspective

For thousands of years at periodic intervals natural forces kept much of the forest in an open condition. Lightning strikes frequently ignited fires that disposed of underbrush and small trees and encouraged the growth of browse for deer and other animals, discouraged insect epidemics, and kept the buildup of woody debris to a minimum. Native Americans also used fire as a tool to manipulate their own environment for various purposes.

In the early 1900s, 50 million acres per year were burned in wildfires. This loss of resources prompted the nation, led by the Forest Service, to launch an all-out campaign to suppress all fires as soon as they started. Between 1900 and 1990, the annual acres lost to forest fire declined 95 percent!

Without fire, nature responded. Seedlings that were previously eliminated by natural fire began to flourish. The forest grew thick and under the canopy spindly dense thickets appeared, all but impassable by man and unattractive to much of the wildlife. Risks from wildfire increased significantly.



A typical change in our forests is demonstrated by these two photos of the same area, taken about 1890 (left) and in 1993 (right).





This is the same area that was shown in the picture on Page 1. (Notice the stump in the foreground of all three pictures). The biomass harvest has been completed and the crews have left the area.

Fire and the Forest

The level of debris buildup on the forest floor is called the "fuel load." As periodic low-intensity ground fires were eliminated, trees and brush accumulated and the fuel load level increased dramatically. When combined with California's hot, dry, windy conditions, fires too often turn into uncontrollable, catastrophic, stand-destroying wildfires.

A raging wildfire races through the debris and reaches up into the tree tops. Once in the crowns, the heat is so intense that the fire becomes explosive. As it moves, it kills essentially all vegetation in its path and exposes bare soil to extensive erosion. After the fire, controlling erosion, maintaining water quality, and reforestation activities require major efforts and expense.

Today, vast areas of California forests are unnaturally dense with extreme fuel loads. These areas face increased risk of destruction by catastrophic fire. Also at risk is the habitat for all forest animals including species that are threatened or endangered, the thousands of homes in hundreds of communities built in California wildlands, as well as watersheds, water quality, fish habitat, air quality, aesthetics and other values.

A 1994 report on the health of America's forests shows a 24 percent increase in tree mortality between 1986 and 1991. More than 60 percent of the over 700 million acres of forest land in the U.S. needs vegetative treatment to restore forest vigor and reduce fire risk. At the current rate, it would take almost 50 years if all overstocked areas received only one treatment.

¹Forest Health Through Silviculture and Integrated Pest Management A Strategic Plan U.S.D.A. Forest Service

What are the Options?

Do nothing

Vegetation will continue to grow. This increases the potential of attack from insects and disease when weather conditions are right, and, as recent history suggests, these stands may eventually be lost to catastrophic wildfires. In California, the zone of insect infestation has already climbed to 8.6 million acres.

Prescribed fire

Setting fire deliberately is meant to be a light touch on the land to clear out the underbrush in a specific area. It can be used by professional land managers to improve forest health in some cases. But today, so much of the forest land is overgrown that setting a fire at the wrong time can be extremely risky. Occasionally, prescribed burns escape control and threaten communities, timber, homes, and other forest values. Moreover, some prescribed fires are extremely expensive. Another obstacle to prescribed fire is increasingly restrictive air pollution regulations which determine the number of days open burning is allowed.

Salvage logging

Salvage logging is designed to remove large merchantable trees which have died from natural causes but does not necessarily clean out the dense understory or remove the fuel ladder (the continuous fuel buildup from ground to the crowns).



*Fire raging
out of control.*



*A charred
forest.*



Chip and scatter

Unwanted biomass is chipped on site and scattered onto the forest floor. Modern low-impact equipment makes this possible but the cost is prohibitive if the material is not marketed as a product, such as fuel for a biomass power plant or chips for a pulp and paper mill.

Biomass harvesting

This option reduces the fuel load and helps restore a mosaic pattern to the forest. It also creates a marketable product out of the unwanted biomass, which helps reimburse landowners for part of the operational costs. This practice can mimic the results of lightning fires and Native American practices over thousands of years, but in a controlled manner.

A combination of any or all of these procedures could also be done, depending upon the on-the-ground conditions, to maintain pattern recovery of the site.



A fire fighter starts a controlled fire with a drip torch



The whole-tree chipper reduces the tree to fuel chips

Biomass Harvesting - How it Works

Densely stocked forests are usually suitable for biomass harvesting if

- ❑ the landowner wants to **improve the vigor of the best trees** and increase their resistance to insects and drought
- ❑ there is **sufficient biomass per acre** to make harvesting and hauling the material economically feasible, and
- ❑ the accumulated biomass in the forest has reached a point where it creates a **severe fire hazard**

Before harvesting, a Registered Professional Forester surveys the property and marks the best trees to be left on site. The goal is a healthy forest, with all of its associated benefits, when the operation is completed. Some areas of the forest may be left as thickets; some brush and woody debris may be left for wildlife habitat. The forester creates a plan that will achieve the best overall results.



*A forester marks
the trees to be left*



*A feller-buncher cuts the trees
and leaves them in a pile*



Only six years after the biomass harvest is completed, the forest is beginning to fill in. Removal of the excess vegetation has restored vigor to the residual trees and opened the forest to a more pleasing, and more productive condition.

In California, a detailed plan is then submitted to the state for review. When approval is received, the equipment and operators work under the strict rules and regulations of the state to carry out the desires of the landowner.

Typically, the harvest is done using a feller-buncher machine that travels to each tree to be removed. It cuts the tree at ground level with hydraulic shears, much like large pruning shears, then lays the trees in piles. A rubber-tired skidder takes each pile to a processing area. A debarking and chipping machine can turn the trees into pulp chips or fuel for power plants. Any trees suitable for higher value products like lumber or poles can be loaded onto trucks and taken to a sawmill.

Biomass harvesting operations are planned with the needs of a diverse wildlife population in mind. Licensed foresters can tailor the job to provide habitat for species which might use the site. By protecting water courses, retaining some dense thickets, providing openings, and thinning other parts of the forest stand, this part of the forest becomes a more sustaining environment for native wildlife populations.



The skidder gathers and moves the piles to the chipper



The landing chaser trims and cleans the logs prior to loading

The Benefits of Biomass Harvesting

Improved forest health

Fuel levels and fire hazard can be reduced by thinning small trees from the forest, reducing wildfire intensity from one that cannot be controlled to one that can be suppressed with traditional firefighting techniques. The mechanization of biomass harvesting has made it both economically feasible and silviculturally useful, reducing inter-tree competition and improving the vigor of the residual trees and their resistance to insects and drought.

Improved wildlife habitat

Although no single type of forest provides ideal habitat for all wildlife, the healthy forest designed through the use of biomass harvesting can provide habitat for many, many, species. Game species, in particular, suffer when there are too many trees on the land crowding out browse needed for their survival. Greater diversity of vegetation and its pattern across the landscape results in a greater diversity of animal life.

Decreased risk of catastrophic fire

In 1994, the cost of fighting California forest fires exceeded \$60 million, not including the loss of homes, equipment, and trees that could have been used for lumber, and ignoring the risk taken by firefighters and families living on the forest edge. Heavy loadings of biomass in our forests constitutes a severe fire hazard. An average of 120,000 acres of California's commercial timberland burns each year. In recent years there has been an upward trend in biomass harvests resulting in healthier forests and a reduced risk of wildfire, but to date the percentage of acres being treated is small compared to the size of the problem. Last summer's catastrophic fire season burned over four million acres in the U.S. at a cost of nearly \$1 billion in suppression efforts.

Reduced air pollution

When biomass is burned in the controlled conditions of a wood-fired power plant instead of going airborne in a wildfire, tons of criteria pollutants such as particulate matter, carbon monoxide, hydrocarbons, and nitric oxide, are kept out of the air we breathe. Although the value of improved human health cannot be measured, emissions from just a 500 acre wildfire exceeds the entire annual emissions of a 50 Megawatt biomass power plant burning 750,000 green tons per year. In electric generation, the energy released is used rather than wasted in decay, eliminating the need to burn an equal amount of fossil fuels, doubling the amount of greenhouse gases escaping to the atmosphere.

Promotes energy diversity

A stated objective of the federal Public Utility Regulatory Policy Act (PURPA) is the reduced reliance on oil and gas (fossil fuels) and increased reliability of the electric distribution system by the use of many small power facilities. Society benefits when we use electricity from renewable resources and correspondingly decrease our dependence on oil and gas supplies from outside the U.S., also reducing the balance of payments deficit.

Questions & Answers about Biomass Harvesting

Is this type of harvest really different from past logging practices?

Yes. The emphasis is on the kind of forest we desire following biomass harvesting, not on what products will be removed. Although using this type of harvest on overstocked forest land will produce small logs for lumber production, paper-quality chips and fuel for electric power generation, it will help cover the cost of achieving the true goal — a forest that is healthy, resistant to catastrophic fire, with improved habitat for fish and wildlife. Like any powerful and effective tool, biomass harvesting must be done with consideration of all the costs and benefits. When using biomass harvesting, careful planning and implementation must be used to minimize soil compaction, control plant pathogens, and provide habitat patterns conducive to controlling insect pests.

What about soil compaction?

Driving equipment over harvested limbs and foliage or forest floor litter and duff rather than bare soil, reduces the extent of compaction. Using only designated skid trails and limiting traffic on wet soils in the early spring and early winter will reduce the area of significant compaction.

How are nutrient levels affected?

Temperate forest ecosystems such as we have in northcentral and northeast California have 90 percent of their total mineral nutrients (nitrogen, phosphorous, calcium) in the soil, 5 percent in the forest litter (needles and branches on the soil surface), and 5 percent in the standing biomass. Biomass harvesting removes less than 5 percent of the total nutrients in this forest because only a portion of the stand is being removed by the harvest. Nitrogen is replaced with rainfall. Since biomass harvests would occur only every 15-20 years, nutrient depletion should not be a problem.²

Is slope a limiting factor for biomass harvesting?

With current equipment, efficient and safe biomass harvesting can occur on slopes up to 30 percent. Equipment exists for steeper slopes, but operating costs are higher and damage to the reserve trees is more difficult to control.

² *Harvesting Forest Biomass to Protect and Maintain Healthy Forests*. Gary Nakamura, University of California Extension, January, 1995.

Conclusion -

In Northern California, the benefits of biomass harvesting and biomass energy have been supported by the public, local elected officials, environmental groups, and public agencies dealing with land management, forest regulation, fire suppression, air quality, solid waste disposal, agriculture and fish and wildlife.

Without using biomass harvesting and other tools available to forest land managers, we face a continuing problem to achieve healthy forest conditions and the necessary protection for our watersheds and fisheries. The tools are available today to break the trend and avoid the continuing escalation of catastrophic wildfire.



Produced by:

The Shasta-Tehama Bioregional Council

P.O. Box 492036, Redding, CA 96049

with members from:

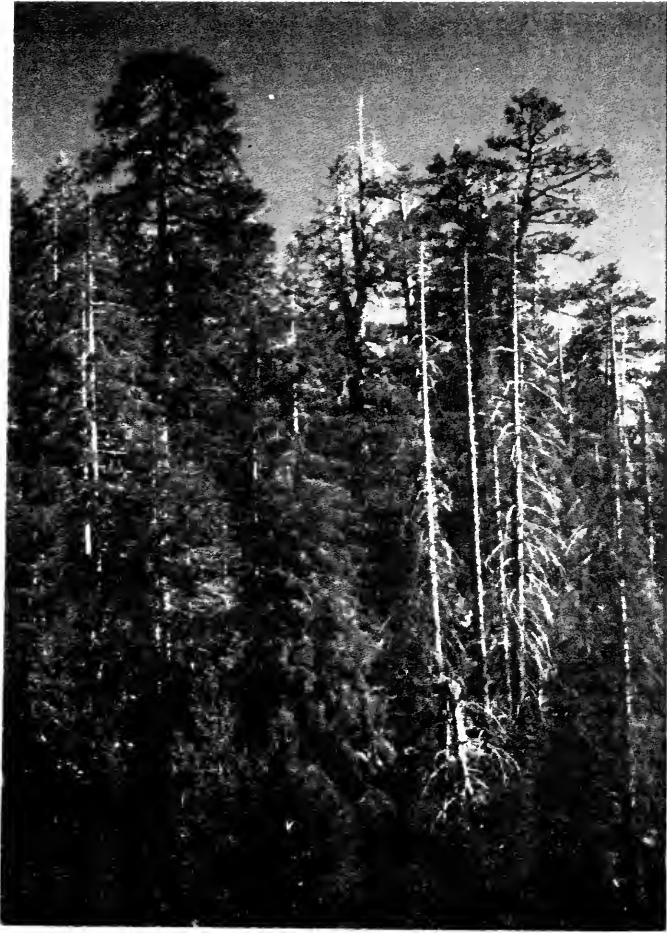
Shasta County Community Action Agency, Shasta 2000, Employment Development Department, Wheelabrator Shasta Energy, Vestra Resources, Shasta College, Western Shasta Resource Conservation District, Tehama County Community Coordinator, Alpine Land Information Systems, Whiskeytown Environmental School, Shasta Alliance for Resources and Environment, Tehama County Supervisors, Shasta County Superintendent of Schools, Shasta Wildlife Rescue, University of California Cooperative Extension Service, Superior California Economic Development District, Roseburg Forest Products, Shasta County Private Industry Council, Forest Values Task Force, Shasta County Supervisors, Sierra Pacific Industries, Shasta Cascade Wonderland Association, Tehama County 20/20, Shasta County Economic Development Corporation, and local conservation groups

The Shasta-Tehama Bioregional Council thanks
Wheelabrator Shasta Energy Company Inc.
 for its efforts in the production of this brochure.

The Shasta-Tehama Bioregional Council encourages continued scientific study into the benefits and opportunities of using biomass harvesting to achieve forest health.
 March, 1995



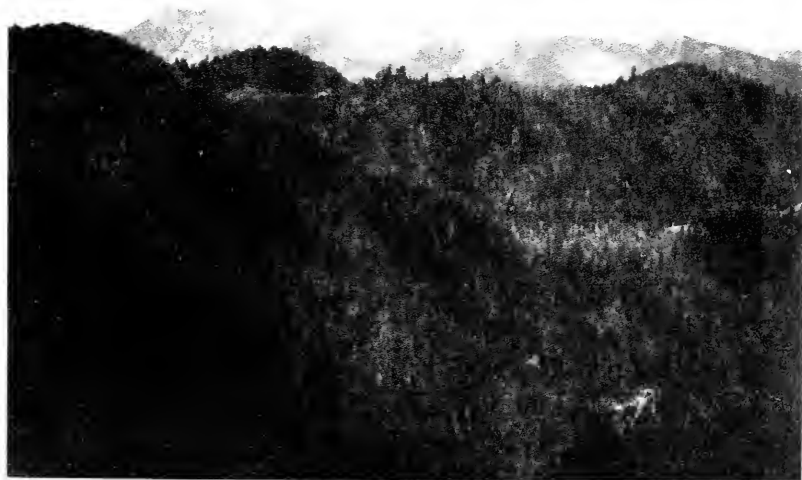
Entire stand damaged by Dillon Complex fires; sick but not all trees killed outright. (Klamath Nat. Forest, Oct., 1995)



Typical of east side pine type with encroaching white fir. After many dry years and subsequent insect attack, white fir is dying out of the picture. (Lassen Nat. Forest, Oct., 1995)



Charred timber next to a landing on the Dillon Complex. Seedling have already been planted through the timber. Does this suggest no salvage can occur here? (Klamath Nat. Forest, Oct., 1995)



1994 wildfire known as the Dillon Complex covering vast areas on 24,000 acres. To date no salvage has occurred. (Klamath Nat. Forest, Oct., 1995)



White fir tree marked for salvage. Due to extended time required to prepare salvage sales, many trees lose all economic value before they can be offered. (Lassen Nat. Forest, Oct., 1995)



Large Douglas fir tree with some green in the crown but fading and should be considered for salvage. (Klamath Nat. Forest, Oct., 1995)



Green tree in located directly adjacent to recently dead trees killed by pine bark beetles. This tree in now the insect host and will be dead by next summer. (Lassen Nat. Forest, Oct., 1995)



White fir mortality common throughout the east side federal forestlands.
(Plumas Nat. Forest, Oct., 1995)



Area of pine bark beetle infestation. It is several years old and enlarging annually. (Lassen Nat. Forest, Oct., 1995)



Dillon Complex (1994) to the horizon. So far no salvage activity. (Klamath Nat. Forest, Oct., 1995)



Managed industrial forests in fore ground backed by Klamath Nat. Forest.
Note the presence on many dead and dying trees on the federally managed
forestland. (Klamath Nat. Forest, Oct., 1995)



Landscape showing white fir mortality after many years of drought. (Plumas Nat. Forest, Oct., 1995)

October 19, 1995

Written Testimony of Frank Losekoot submitted to U.S. House of Representatives, Committee on Resources - Task Force on Timber Salvage.

My name is Frank Losekoot. I am a Forester with Hi-Ridge Lumber Company in Yreka, Ca. Hi-Ridge Lumber Company is a sawmill and planing mill facility that relies heavily on federal lands for it's supply of raw materials. My comments are focused on implementation of salvage legislation P.L. 104 -19 in relation to the Record of Decision for the President's Forest Plan commonly called Option 9.

The need for a salvage timber sale program is still obvious today. Estimates of timber mortality for 1995 on the Klamath National Forest by the Forest is to 240 million board feet. The Dillon Fire area which burned in the fall of 1994 contains 78 million board feet, which still stands barren and is not planned for sale until the third quarter of fiscal year 1996. I have been on the ground and have seen the mortality and the need to salvage. It is there and I do not dispute the numbers.

Option 9 is the current guideline to which National Forest Land Management Plans must conform. The main problem with Option 9 has become the fact that it does not do what is best for the resource, it does not work on the ground. Option 9 sets aside vast land reserves with limited or no timber harvesting activities these are called Late Successional Reserves (LSR). Litigation and injunctions in the first half of this decade along with the reserves have limited land management activities and have produced timber stands of declining vigor. The passage of the Emergency Salvage Timber Sale Program under the Rescissions Bill is a beginning to the solution of the salvage and forest health problem.

I. Why are not more salvage sales and forest health projects currently being undertaken by the Forest Service?

The process to complete a salvage timber offering is too lengthy and takes too long. The Forest Service is intimidated with and hampered by the Memorandum of Understanding signed by the resource agencies after the Receptions Bill was passed. In effect, Congress has given the Forest Service a law which has been redefined by the Administration.

Currently the Forest Service is attempting to meet all environmental laws, implement Option 9 and meet all oversight requirements. In most cases the agencies or other Forest Service organizations involved in oversight are removed from the project and not involved in the planning. When they receive the package it adds another layer of review and increases the time involved in preparing a sale for advertisement. In the case of entry into

Testimony to Task Force on Timber Salvage
Page 2

a Late Successional Reserve oversight involves two layers of review beyond that of the U.S. Fish and Wildlife Service, namely the Issues Resolution Team and the Regional Ecosystem Office.

Granted the Forest Service is doing some streamlining of the process. They are reducing the requirements under NEPA. They are combining Environmental Assessments with Biological Evaluations. This is being done by trying to include U.S. Fish and Wildlife Service personnel from the initiation of the project. However, this is being done with only limited success due to lack of accountability.

The problem is that with salvage the Forest Service is not doing enough to speed up the process. Instead of taking one step at time they need to be thinking of taking numerous steps at once.

Secondly, the other agencies involved in oversight have no measure of accountability. Although accountability for performance of timber targets for the Forest Service and B.L.M. has been slackened over the past decade, accountability for the U.S. Fish and Wildlife Service, and the National Marine Fisheries Service is nil. These oversight agencies have no incentive to cooperate nor to do an expedited consultation or review. The failure here rests not with the Forest Service but with the current Administration.

II. What is currently happening with the salvage program.

The problems discussed here center around salvage timber sales that were prepared prior to the Recessions Bill. I am not aware of any salvage timber sale that has been advertised that is a result of the Emergency Salvage Amendment. Without the substantial changes by the Forest Service future salvage sales will have the same problems as current sales.

Timber which has a high dollar value prior to the onset of mortality loses value rapidly once the tree dies. Long delays in salvage sale preparation, as we have experienced recently, lowers the value that can be bid, and therefore lowers the value returned to the taxpayers in terms of revenues to the federal and local governments.

The Forest Service is going too quickly to helicopters as a method of logging. If a project is not easily feasible as a tractor logging opportunity then the next step is to move to helicopter logging without consideration for other less costly methods of harvesting. Some recent sales have avoided tractor skidding due to perceived soil compaction problems, so the method used was helicopter. However, a logical alternative would

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Page 3

have been tractor skidding from pre-designated trails and then ripping the trails afterwards. Use of small mobile yarders working from existing roads is another option not being used by the Forest Service. In the past yarder logging accounted for approximately 40 % of all logging in the National Forest of Northwestern California.

The combination of long delays which reduces value and the high costs associated with helicopter logging have made some sales uneconomical to operate and therefore have gone without bids.

Placement of Limited Operating Periods on salvage sales has become restrictive as it forces all logging activities to one concentrated portion of the logging season. There are not enough contractors to go around. No new contractors will enter the business due too lack of work during the other nine months when limited operations are in place. Relief from Limited Operating Periods is needed.

On the four northern forest covered by Option 9 the primary need for salvage and forest health projects are in Late Successional Reserves. These areas have been in a state of non-management since completion of the 1987 fire salvage logging. Due to litigation and subsequent injunctions nothing has taken place in these areas and as a result forest health has been declining. Forest Service specialists including their own biologists agree for the need to improve forest health in these reserves before they are destroyed completely by a catastrophic event. The language of the salvage bill can greatly expedite the entry into LSRs by satisfying the requirements of other laws, but it is not getting accomplished.

III. What needs to be done.

The Forest Service needs to get on salvage quicker. Of the vast number of dead trees standing on federal lands not all of this timber is merchantable. However returning to the Klamath National Forest , the planned salvage (excluding green volume) in 1996 is 43 million board feet of which 13 million is expedited salvage and in 1997 the salvage target is 45 million of which 20 million is expedited salvage under P.L. 104-19. This level of salvage program does not keep up with current timber mortality nor does it get ahead of the forest health issue.

As mentioned above the Forest Service must speed up the process. If they are not going to follow the law under P.L.104-19 then at the very least they can speed up the process by combining two or more steps at one time and by doing the minimum amount of documentation. The bottom line is to accelerate the work on the ground and get the timber out before value is lost.

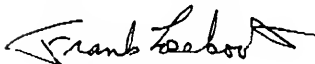
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Page 4

The Forest Service or the Administration must reduce the amount of oversight and analysis required to produce a salvage sale.

Policy that requires three levels of analysis (NEPA, Watershed Analysis, LSR Analysis) must be changed. Such review organizations as the Issues Resolution Team and the Regional Ecosystem Office need to be eliminated.

The major insect and disease epidemics prior to the 1980' and the devastating fires of that time were responded to promptly and salvaged right away. The Indian Ridge Fire which burned in September 1967 on the Klamath N.F. burned an area that today would be considered a LSR. Beginning in February of 1967 the first salvage sale was sold and timber was on the way to local mills before any deterioration occurred. Now it takes two and sometimes three years of process before a sale can be offered. Yet no laws have changed since 1976.

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read "Frank Losekoot", with a stylized flourish at the end.

Frank Losekoot



KLAMATH FOREST ALLIANCE

*Statement for the Hearing Record
by Felice Pace, Executive Director, Klamath Forest Alliance*

*US House of Representatives Committee on Resources
Task Force on Timber Salvage and Forest Health*

*Field Hearing in Redding, California
October 21, 1995*

My name is Felice Pace. For the past 20 years I've lived in the Scott River Valley, Siskiyou County, California. Since 1990 I've directed the Klamath Forest Alliance, a community-based NGO based in Etna, California. KFA is first and foremost a network of community activists who share a common vision of sustainable ecosystems and sustainable rural communities. Most of our core activists have lived in Siskiyou County for many years. Many have and some still do work in the forests, either in forest products, reforestation, or recreation; others recreate or seek spiritual inspirations there.

I want to begin by thanking chairman Cooley and my own congressman Wally Herger for the opportunity to testify. I have been outspokenly critical of some of Mr. Herger's statements and positions on forest issues and so I really appreciate that he remains willing to listen.

In Siskiyou County almost everyone uses the national forests in some way but not too many people live in communities within the forest. Many KFA people do live within the forest and we know it intimately. We have lived through firestorms and floods and one whole heck of a lot of salvage logging. One of our staff members, Petey Brucker, was burned out by wildfire twice in 1977 and again in 1987. After these fires our members worked in salvage logging and reforestation. So we know salvage well. We've also learned to rely on each other for help with fire risk. In 1992 KFA activists help found Salmon River Restoration Council. Since then SRCC volunteers have fireproofed the homes of most senior citizens living in the Salmon River. They have also invested many hours of volunteer time in watershed rehabilitation. So our people are committed to dealing with fire threats. We know that when you live in an interior western forest you are going to have wildfire in your life.

Based on this experience, we can tell you unequivocally that salvage logging has been the most abused activity on the Klamath National Forest. We can also tell you that after the 1977 Hog Fire, the salvage, selling as low as \$1.50 per thousand board foot, included 40% green healthy trees. We can show you where mountains of slash were left behind which then fueled the 1987 Yellow Fire, helping to make it a high intensity fire storm. We can show you fire after fire - like the Glasgow Fire of 1987, the Specimen Fire of 1994 and the Pony Fire of 1995 where concentrations of logging slash were critical factors in producing uncontrollable firestorms. By the way, the Specimen Fire for a time threatened the town of Sawyers Bar on the Salmon River Ranger District. We can show you places in the forest where salvage logging of green trees led to accelerated erosion and fish-killing road blow-outs. And we can show you Grider Creek, where we filed a lawsuit in 1989 to stop a fire salvage sale. In Grider Creek the vast majority of the large trees marked to be salvaged never died. They are part of a healthy forest today where even Forest Service fire specialists admit that fire danger remains low.

Testimony of Felice Pace on Salvage ProvisionsPage 1.

Up until recently we could only address these issues with our on-the-ground experience and common sense. Recently, with the help of dedicated forest scientists and their students, we have documented the problems in rigorous studies. You have attached to our testimony a summary of two research studies. The first looked at trees marked to cut in the enjoined Grider Fire Salvage sale. In randomly selected test plots, 71.3% of the trees marked to be cut as salvage are still alive 8 years after the fire. Among marked trees, a greater proportion of the small trees died. The second study looked at logging slash treatments prescribed and planned on timber sales since the early 1980s in the Salmon River Ranger District of the Klamath National Forest. We found 100 different logging operations where planned slash reduction **never took place**. In other words environmental documents prescribed and decision documents promised slash treatment to reduce fire risk **and it never took place**. These 100 logging sites add up to over 4,000 acres of logged ground, 4,000 acres on which the Forest Service has left those who live in or near the forest a legacy of intense fire risk.

There is a simple solution to this problem. Instead of allowing the Forest Service to collect slash money from the timber purchaser and then use 50% of it for administrative overhead, legislate that all needed slash treatments must be included in the timber sale contract. The job will then get done immediately and efficiently, employing private sector timber contractors.

Lest I be misunderstood, I want to make it clear that we do not claim logging without proper slash treatment is the only cause of over-intense wildfire. There are many causes as you will no doubt hear today. We emphasize the logging slash problem first because for the most part it has been ignored by the Forest Service; second, because it is a problem Congress can solve by requiring needed slash abatement within all timber sale contracts, and third, because untreated logging slash has been implicated in so many of the fires that have impacted our members and their communities.

By now you probably have the impression that KFA vigorously opposes all salvage. That is not the case. In spite of all the abuses, we have and continue to support responsible salvage logging to recapture economic value where that can be accomplished without sacrificing sensitive resources, especially high quality water and the many economic, social and aesthetic benefits high quality water bestows. The proof is in our record. Was the Recision Rider needed to move salvage sales? On the Klamath National Forest in the fiscal year that just ended over 40 salvage sales had sold **before the rider took effect** without one appeal. Beginning in 1991, we helped develop and supported ranger district-wide salvage Environmental Assessments - one environmental document covering many sales over several years on a single ranger district. It worked very well, continued through the entire Northern Spotted

Testimony of Felice Pace on Salvage ProvisionsPage 2.

Owl Injunction period, and not one of those many sales was appealed. Why? Because they were done correctly with scientific criteria for predicting mortality and strong watershed protection.

Let me be clear: KFA has never hesitated to appeal if we believe the proposed activity will damage resource sustainability. But, like most grassroots forest organizations, we do not appeal lightly and we always give the Forest Service the opportunity to rectify the problems.

I'd like to now focus for a minute on problems with the approach to Forest Health taken in the Recision Bill. Some years ago I participated in discussions between environmental and timber groups on the La Rocco Forest Health Bill. These discussions were moderated by Neil Sampson of American Forests. While they did not reach resolution, I left them believing Forest Health was one area where the timber industry and forest activists might one day find common ground. The environmental community believes there are health problems in our forests. The plight of salmon and so many other species are indicators of those problems. However, we do not see salvage logging as the solution. Rather than scurrying around with helicopters trying to capture scattered mortality, we believe Forest Ecosystem Health would be better served by emphasizing restoration forestry - working in degraded and younger forest stands with green tree selection logging and thinning from below. The grassroots environmental perspective on Forest Health is emerging in a west-wide process to create a Citizen's Forest Ecosystem Health Initiative. A description of the Initiative is attached to this testimony.

The Recision Bill also threatens the fragile beginnings of common ground which have emerged in the last three years in our communities. Along with two other members of this panel and others testifying today, I'm a member of the Siskiyou Forest Management Roundtable. With an agreement in hand that took about a year to forge, we are working together on timber sales and watershed planning and we are making headway. The Recision Rider, however, has led to Forest Service decisions which threaten to destroy the Roundtable. In my judgement, that's because, whether Congress intended or not, Forest Service managers of the Klamath National Forest have taken the Rider as a message to plan timber sales and road building in the most sensitive and remote areas of our forest. As their main justification, Klamath Forest managers are using a forest mortality map which contains gross overestimates of tree mortality in the current year. William Ferrell, an Oregon State University forest ecologist, recently found KNF tree mortality estimates much inflated. In a report on Professor Ferrell's tour of the KNF, he also states his belief that there is no risk of a major insect infestation. In fact, he found that insect mortality is decreasing. A copy of Professor Ferrell's report is included with this testimony.

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Armed with faulty information, the Forest Service has decided to move quickly to log Late-Successional Reserves before they know what species are present or whether their plans are technically, scientifically and economically feasible. In the next two years, Forest Service personnel tell us, 40% of the proposed logging is scheduled by helicopter. That means "jackpots", the concentrations of slash that helped burn out our members, will be left in the forest. It also means many of these sales may not receive bids. The Forest Service is gambling on log and chip prices staying high. What good is it to prepare and offer timber sales that won't sell as was the case recently on the Klamath National Forest with three helicopter sales.

Bad as this recklessness is from the environmental and economic perspective, it is worse still from the perspective of communities. Last Tuesday, the Roundtable received a requested Forest Service briefing on the Klamath's timber program. In spite of urging by KFA and others, KNF managers have largely ignored fire risk to forest communities, the residential/forest interface, when planning 1996 sales. Not one timber sale is planned to systematically remove the dead trees, old logging slash and ladder fuels that surround and threaten many of our forest communities. My organization finds this not just disappointing, we find it appalling. I know Mr. Herger's aides have been out on some ranger districts urging swifter implementation of the rider he helped sponsor. I would urge you, Mr. Herger and all of you to ask the Forest Service to focus first where the risk to life and property is greatest - around forest communities.

In closing, I'd like to emphasize the principle that underlies the progress the Forest Management Roundtable has made - that principle is *performance*. The Forest Service salvage plans sound good on paper as all past plans have. The environmental documents will promise all sorts of "recovery" projects and minimal negative impacts. In their testimony I'll bet Forest Service officials assure you that any problems you've heard about today are now in the past. You know, the first time I walked into a ranger station with a problem 20 years ago I was told: "Oh that's what we did then but now we've got it figured out". We're still hearing that old saw today. And that's why the Roundtable goes out at the end of each project we work on - because the proof is in the performance. The Recision Rider encourages poor performance. As it has in the past, poor Forest Service performance will lead to more conflict over species pushed toward extinction. That is precisely why the loss of citizen appeal rights is not a way forward. Progressive leaders in the timber industry know that as the populations of rural western communities grow and change, only performance can secure acceptance. Without the threat of appeals the Klamath National Forest has shown it will choose risky and short-sighted projects. To the extent that pattern is repeated, voter rejection of public timber management will inevitably grow and soon prevail.

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In the past many of you on the task force have railed against the fact that for the price of a 32 cent stamp a single individual citizen can stop a timber sale. Later on, you will be presented documentation that only a small percentage of timber sales have been delayed by appeals. What I'd like to emphasize, however, is the down home democracy in that 32 cent appeal. In an age when it costs a fortune to run for public office (or to file a lawsuit) there's something wonderful about the fact that any citizen who can come up with the change can raise a grievance and have it be heard on the merits. When I was a young man the most prominent criticisms of government came from the left; now very similar critiques are coming from the right. Appeal rights on the people's forests recognize no distinction of party or politics. Loss of citizen rights on the public's forests diminishes democracy - something about which we all should be concerned.

Thank you.

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Statement by William K. Ferrell on Insect-Related Mortality in Klamath N.F.

On October 5, 1995 I conducted an aerial reconnaissance of the entire Klamath N.F. to observe mortality in the conifer overstory in the Forest. On October 6 I made a ground survey of the Scott River Valley from Etna to below the confluence of the Scott and the Klamath Rivers.

In flying over the Forest and later from the ground, I looked closely for evidence of mortality in the coniferous forest overstory. Trees which have died this year will, in the majority of cases, still have their foliage, which will be orange in color. Other dead trees, especially those dying within the past 4-5 years, will be turning gray in color but will retain fine twigs. The proportion of orange trees among the total recent dead will tell us the direction of the mortality, that is whether it is waxing or waning. In this case I was especially mindful of areas of reputed high mortality such as the area on or around Goosenest Mountain, the Salmon river area near Cecilville, and the slopes above the Klamath River below the confluence of the Scott River. On the ground, I examined the Scott River drainage as well as a short portion of the slopes of the Klamath River. On the Scott River drainage, I went up side drainages such as Shackleford Creek, Boulder creek, Canyon creek, Deep creek, and Kelsey creek.

The two most obvious sources of mortality and the most prominent were blister rust in sugar pine and bark beetles in the true firs (Abies). The sugar pine mortality was scattered about but most of the trees had blister rust "flags" and it is simply a matter of time before they succumb. Some resistant individuals will no doubt show up but I would guess that within 50 years the majority will be dead or dying. Cutting them will do nothing to avert the demise of the remaining ones because they become infected from Ribes species, not from other sugar pine trees.

The true firs are primarily attacked on south slopes and rocky sites where drought stress has no doubt made them less resistant to attack. The stands are often overly dense as well, which makes them especially susceptible to drought because of root competition for water. The recent dry years have no doubt exacerbated the problem.

The trend in true fir mortality is definitely down from what it was. I would judge that less than 10% or even 5% has occurred in the last year whereas we would expect at least 25-30% to have occurred if the infestation were maintaining itself or increasing.

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In selected places in the Klamath river area I described above there was perhaps 30-40% total mortality counting everything of the past 5 years but this mortality was quite localized. In no case did I see anything which would indicate that a big infestation was about to occur. From aerial observation, I would say the same thing about the Salmon river slopes and Goosenest mountain. If averaged over whole watersheds, well less than 1% of the trees were dead, with hot spots of 5-10 acres with perhaps 5% of the trees dead this year.

In summary, what is occurring is a natural response to drought and competition and no cause for a salvage program aimed at stopping an infestation.

(Signed Original)

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May 1995

Grassroots Creates Forest Ecosystem Health Initiative

Felice Pace, Program Coordinator

While the Clinton Administration's "Western Forest Health Initiative", the "Salvage Rider" and Senator Craig's Forest Health Bill (S. 391) have made "Forest Health" a high profile issue, the topic is not new to the debate over management of western public forests. In 1992, for example, the House Committee on Agriculture considered HR 4980, a "Forest Health" bill written by the Timber Industry for Representative Larry LaRocco of Idaho. At the initiative of Mr. LaRocco, discussions of the legislation between environmentalists, timber industry lobbyists and congressional staff took place, facilitated by Neil Samson, director of American Forests. However, the parties were not able to reach agreement and the bill stalled.

Unsuccessful in Congress, the Industry continued to press salvage logging as the "solution" to the "Forest Health Crisis". Each Summer they manipulated public and media interest in wildfires to promote their solution - more logging. Late in 1994 the Clinton Administration responded announcing its *Western Forest Health Initiative*. The *Initiative* is a catalogue of on-the-shelf projects with no overriding strategy or coherence. While it includes potentially beneficial projects like "wildlife improvement" and "watershed restoration", the core is salvage logging totaling more than 1 billion board feet of timber and green tree logging an additional 600 million board feet. Most disturbing, is that over 100,000 acres of roadless backcountry land are scheduled for logging. These roadless lands are far and away our healthiest forests and refugia for numerous species of fish and wildlife already extirpated elsewhere.

The root problem of the Administration's *Initiative* is its definition of *Forest Health*. Ecosystem Management rhetoric notwithstanding, the Forest Service clings to the obsolete definition of Forest Health as tree vigor. This reflects the continued dominance of managers trained as industrial foresters and the persistence among foresters of the agricultural model. If you are growing a crop, the vigor of plants is directly reflected in yields and therefore a top priority. If, however, your mission is to preserve the complex relationships that comprise an ecosystem, you will look to the health of soil, water, air and to the resulting diversity of forest life as your indicators. Such forests have been paying multiple dividends to society for thousands of years and may be essential to the continuation of life as we know it on Planet Earth.

In December 1994 in response to the Administration's *Initiative* Klamath Forest Alliance invited Forest Activists across the West to participate in developing a ***Citizens' Forest Ecosystem Health Initiative***. We believed (and still do) that the environmental community needs a positive Forest Health program as a tool to educate Congress and the American Public about the real Forest Health needs of western forests. While many activists responded enthusiastically, some said the Forest Service and Timber Industry have so perverted the concept that we must oppose it. Others

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simply do not believe any human intervention can be positive, advocating a "hands off" policy as the only road to Forest Health. After two drafts, several meetings, and numerous phone conversations, we remain confident that a **Citizens' Ecosystem Forest Health Initiative** (CFEHI) can be developed which will unite the majority of forest activist, scientists and practitioners behind a positive vision based on our combined knowledge of western forest ecosystems. What is clear is that achieving such a vision will take time. KFA is now working on Draft #3 of the CFEHI, integrating comments from across the West. Meanwhile, Greater Ecosystem Alliance is working on "thinning" guidelines applicable to the several forest types which occur in interior western forests. Here are the CFEHI's current outlines:

- **Salvage is not a Forest Health Treatment:** Salvage logging can only make a forest less healthy. Salvage sales typically define living trees as "dead or dying" and also include "sanitation" - a euphemism for cutting the biggest, oldest trees in a forest. Salvage also results in mechanical damage to live trees, soil compaction, accelerated erosion and landslide rates, and loss of structural complexity (snags and down logs). The decision to salvage in a given area should depend on site specific trade-offs between capturing economic benefit and the cost (to soil, water, plants, animals and the federal treasury.) of that activity. However, salvage is **not** a Forest Health cure.

The propaganda for massive salvage as Forest Health plays on the public's fear of wildfire. The Forest Service has long claimed the salvage after a fire is necessary to prevent a future conflagration. The reality, however, is just the opposite. Because they sell low, salvage sales usually lose money and almost never generate revenue to pay for burning slash left behind by logging. When real life salvage projects are closely examined, we often find that fire risk is actually **increased** and forest health **decreased** compared to leaving the trees in place. The most honest public forest managers admit that salvage is not an effective tool for fire risk reduction or forest health. In a letter to California's Director of Fire Protection, for example, the FS Supervisor of the Lake Tahoe Management Unit wrote in December 1994:

"What is apparent to me now is large salvage sale contracts are NOT a major part of addressing the large acreage and urban inter-mix needs. Planning and attempting to market several salvage sales, ranging from 100 to 7,000 acres, has shown (since 1989) the value of salvageable material will not bear the cost of adequate treatment for fuels reduction and long-term forest health."

- **Reduce backlog logging slash and require adequate slash treatment in all future timber sale contracts:** The massive amounts of logging slash left behind by past and current logging operations is a major cause of destructive firestorms and a significant threat to life, property and forest ecosystems across the West. The first step in any program to reduce fire risk must be dealing with this logging slash backlog and taking the necessary steps to assure that future timber sales do not leave unnatural concentrations of slash. This can best be accomplished by requiring adequate slash abatement **as standard provisions in all timber sale contracts**. Abatement should be to appropriate ecological standards established through the project planning and environmental assessment process and should reflect attention to the need to maintain organic material (especially large standing and down wood) on the site. Congress should enact legislation requiring slash abatement in timber sale contracts or the Administration should order it done.

Eliminating the backlog of logging slash is a more difficult problem. Because new funding for slash

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abatement is unlikely, we must find ways to get the job done within current programs. The CFEHI suggests retaining Summer fire crews in Spring and Fall when fire danger is low to work piling and burning slash, lighting and tending low intensity fires, and constructing fire breaks along forest road.

• **Reintroducing Fire within the Forest Ecosystem:** Fire is a natural process in most western forests. These magnificent forests evolved with fire and they achieved a remarkable state of dynamic stability adapted to fire events. Aggressive fire suppression has disrupted this balance with dire consequences. The CFEHI proposes a major effort to reintroduce fire as a natural process in our western national forests. This involves the use of both "prescribed natural fire" - letting fires burn in remote areas when conditions are right and where there is no threat to life and property - and "prescribed management fires" - lighting fires under controlled conditions to mimic natural fire processes. The National Park Service has been using prescribed fire effectively for many years.

• **Thinning Forest Stands:** Thinning forests can negatively impact Forest Health through soil compaction, mechanical tree damage and impacts on forest structure and microclimate. In addition, like all forest activities that involve commercial gain, thinning has been abused. Too often, "thinning" has cut the largest trees in a stand and stands of the older trees in the forest. Furthermore, some forests (for example "westside" or coastal forests) are naturally dense and should not be thinned. Finally, appropriate thinning objectives will be different for each forest type and site condition. One size does not fit all.

Notwithstanding these caveats, most forest scientists believe many western forests must be thinned to overcome the legacy of fire suppression, high grade logging, and other abuses. New logging technology can thin trees with less soil compaction and mechanical damage to the remaining stand. The CFEHI will reference standards for each major western forest type with specific parameters detailing how thinning should be done and what will remain after logging. Some forest types (for example, high elevation and wet coastal forests) will not be recommended for "thinning".

• **Roads and Roadless Areas:** The most important indicator of Forest Health is the diversity, integrity and resilience of forest ecosystems. By such measures many of our public forests are truly unhealthy. A return to health must reverse the deterioration of forest soil and forest watersheds by controlling or eliminating those factors which led to and maintain deteriorated conditions. In order to accomplish this the CFEHI advocates:

1. **A moratorium on road construction and a reduction in road miles on every ranger district in the West:** Forest roads are the single largest contributor to the degradation of forest watersheds primarily through the mechanisms of increased soil erosion and accelerated landslides. The CFEHI calls for no new road construction on western national forests unless specifically authorized by Congress through naming the road in the annual appropriations bill. Furthermore, every ranger district should be mandated to reduce total road miles over the next decade. This should be accomplished by prioritizing roads based on the magnitude of risk they pose to watershed health and decommissioning roads based on those priorities in accordance with accepted decommissioning standards.

2. **A moratorium on development of all inventoried and uninventoried roadless lands which are either 1,000 acres or more in size, are contiguous with national parks, wilderness areas, or other roadless areas, or which represent rare or unique habitats:** These wild lands contain our most healthy watersheds and play a key role in preserving rare and

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endangered plants and animals. Furthermore, roadless areas are typically at lowest risk of damage from wildfire and fires within them pose the least risk to life, property and rural communities.

- **Protecting Riparian and Unstable Lands and Forest Soil:** The CFEHI calls for prohibiting all ground and vegetation disturbance in riparian and unstable areas and protecting forest soil by limiting heavy equipment use. In the case of livestock grazing, the CFEHI calls on livestock owners who use public lands to assure that their livestock do not damage riparian areas or water quality. If this can not be accomplished within a reasonable period, the grazing privilege should be suspended or canceled. Identification of unstable lands should be required as part of project development and environmental assessments for ground disturbing projects using standards and guidelines. Appropriate standards have already been developed for most western forests but have not been consistently implemented.

- **A Strategic Approach To Fire Risk Reduction:** The rural population of the American West is growing rapidly. As a result, we can expect occurrence of wildfire near residential areas to increase. Furthermore, western states do not have the resources to adequately protect rural communities from wildfire. Therefore, the CFEHI incorporates a strategic approach to reducing the risk of wildfire that prioritizes public forests near rural residential communities. Protecting communities with fire-safe areas will protect life and property while allowing fire its natural role in the forest.

The *Citizens' Forest Ecosystem Health Initiative* presents an opportunity for forest activists, forest scientists and forest practitioners to unite behind a common vision of healthy western forest ecosystems. It will test the ability of the environmental community to put aside our individual and organizational biases to unite, not just in opposition, but in support. The Initiative clearly will not satisfy everyone. Some will balk because they believe salvage logging can be done responsibly; others because they believe no logging is the only reasonable policy. We believe, however, that the majority of forest activists can and will achieve a common Forest Health vision and a program to achieve that vision. That program can help the environmental community recapture the initiative in what has become the defining issue in the western public forest debate.



KLAMATH FOREST ALLIANCE

Fire and Forest Ecosystem Health in the Klamath National Forest, Northern California

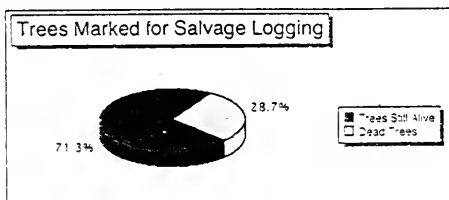
Two case studies: Grider Creek and the Salmon River

Recently the Forest Service and Congress have taken an aggressive approach to Salvage logging based on two unsupported claims:

- (1) *Salvage logging decreases the fire risk*
- (2) *Salvage logging improves forest health*

The main purpose of salvage logging, however, appears to be "economic salvage" of fire (and sometime bug) killed trees. The perception that the "resource" is being wasted sometimes leads to the sacrifice of other resources, namely ecosystem integrity.

Grider Creek provides a good case study to look at several aspects of Salvage Logging and ecosystem health. After a fire in 1987 an environmental lawsuit blocked a large salvage sale. A significant portion of the trees that were marked for salvage logging remain alive today. In study plots, from 70 to 90% of the "marked" trees are still alive today. Of the marked trees that have died, most are smaller (Stroich, 1995).



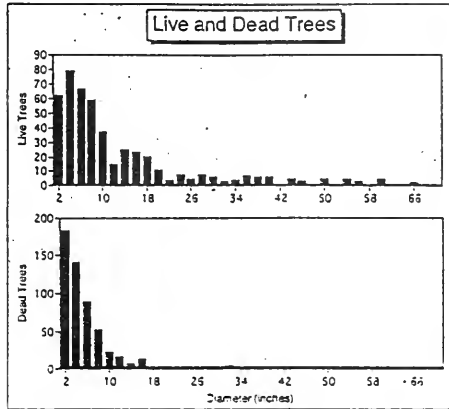
The Salmon River watershed has experienced several high intensity fires. Much of the past and present fire risk has come from inadequately treated logging slash (debris left behind), and plantations. The Salmon River has over

Activity (code #)	Acreage	Number of Stands
Broadcast Burn (1011)	2,149	66
Underburn (1013)	919	12
Burn Piles (1014)	890	43
Hand Piling (1023)	53	2
Burning (4471)	30	4
Total	4,041	127

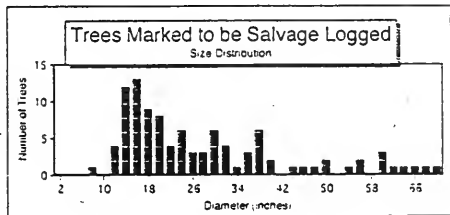
100 separate logging operations where the slash has not been reduced, covering over 4,000 acres (Stroich, 1995). Fuels generated from salvage logging in the late 1970's played a significant role in high intensity fires in 1987.

The size distribution of the living and dead trees in Grider Creek shows the beneficial (cleansing) effects of the fire. The dead trees graph has a higher proportion in the smaller size ranges.

This suggests that the fire killed mostly small trees and ground fuels, while leaving the larger trees undamaged. The size distribution of the living trees also suggests that natural regeneration is high. Many small (young) trees survive that will continue over time to replace the dying older trees.



Compared to the size distribution of the entire stand, the distribution of the "marked" trees has a higher proportion of large old-growth trees. Many of the younger dead trees would be left, which are one of the main components to a high fire risk scenario.



Before salvage logging proceeds we need to know:

- 1) In what ways will the logging decrease the fire risk?
- 2) What chance is there that the logging will actually increase the fire risk?
- 3) What precautions are being taken to reduce logging slash to acceptable levels?
- 4) What has experience taught us?

For more information, please contact:
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TESTIMONY BEFORE
U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON RESOURCES
TIMBER SALVAGE AND FOREST HEALTH TASK FORCE

OCTOBER 21, 1995

BY

JIM OSTROWSKI
TIMBERLAND MANAGER
TIMBER PRODUCTS COMPANY

My name is Jim Ostrowski and I am the Timberland Manager for Timber Products Company. I am a California Registered Professional Forester (RPF) based in Mt. Shasta, California. Timber Products Company is a family owned forest products business which specializes in panel products such as hardwood and softwood plywood, particle board and value added processing to meet customers needs. Timber products owns and sustainably manages 125,000 acres of timberland in Northern California which supplies part of the log supply for our Yreka, California veneer operations. The rest of our raw material supplies come from logs purchased on Public lands or other private timberlands.

I am here to address the Committee on the condition of the National Forests in Northern California and why I think many parts of the forest need immediate attention to restore their health. The process imposed by the Option 9 Forest Plans does not allow for a timely solution. The solution can only come from the professional land managers who are working at the Forest and District level, not from the top heavy planning and review process imposed by the Option 9 plans.

Let me begin by giving a brief history of some of the Forest Health issues and a process widely used for small forest health salvages prior to the injunctions following the listing of the Northern Spotted Owl.

In our area dead and dying trees used to be sold in small "Creer Sheet" sales which the District Ranger could authorize with minimal review if they were considered to be a low risk to the environment. Many small loggers would specialize in finding dead patches of trees and bring them to the attention of the district Small Sales Officer. These patches could then be sold to the logger at negotiated rates including any clean up required by the Forest Service.

This process became a "rapid response team" approach to finding and treating insect or diseased parts of the forest before the mortality began to spread. These sales were part of a "Simpler Time" when the Forest Service had

the trust and authority to do the best job for the forest and the public.

The drought which has affected our area for at least eight of the last ten years intensified the rates of tree mortality in our forests by severely limiting the amount of moisture available to the trees. Forests which were once thought to be dense and lush began to be weakened and die from the competition created by too many trees on any one acre. Foresters began to realize this intense competition was not a normal part of our forests and was the result of too many trees and the absence of a thinning process to reduce tree density. This thinning process could be either natural such as insects, disease, wind or fires, or a managed method such as thinning both merchantable or unmerchantable trees to desired densities.

Fire was the predominant natural thinning process in our area before the advent of aggressive fire prevention and suppression. Some natural fires would completely kill portions of the forest but could also thin other portions during lower intensity burning periods. Fire control has provided the protection for our forest resources and investments but the amount of thinning projects have not kept pace with the rapid growth of our forests. Planned thinnings take the place of fire thinnings and prevent the forest from becoming too dense and overstocked. Many areas in our forests are overstocked which has created a stressed condition and allowed the insect populations to build to epidemic levels in many areas. Overly dense forests along with dead and dying trees are creating large fuel loadings which are leading to larger and more intense wildfire situations. These very intense fires can create long term damage to our forest ecosystems.

The real issue now becomes finding the solutions to returning our forests to a healthy condition. A healthy condition in this case is a forest which has some resilience to droughts and catastrophic fires. Past fire suppression has provided the protection for long term planning and investments and we must continue to suppress wildfires in order to protect these and future investments and to protect our future supply of wood products, clean water, recreation, fisheries, and wildlife. The thinning which some fires have done in the past must be replaced by thinning treatments which utilize merchantable products or leave the unusable vegetation to decompose back into the soil. Some thinning can be done at a profit to the government while some will be a cost. Both must be done in order to return our forests to a healthy condition.

The forest management priorities of the past included some thinning but the levels did not keep up with the rapid growth of the forest. A much more aggressive program needs

to be implemented to restore our forests to healthy stocking levels and to maintain future forests in those conditions.

The current Option 9 Forest Plans have set up a process of assessment, analysis, planning and implementation which is a drain on available funding, human resources and precious time. The time factor is critical in order to capture some of the value in the wood from the dying trees. This "forest capital" needs to be reinvested into projects which thin the forest and reduce fuel levels. The time delays in the Option 9 process are letting trees rot to the point of little or no value. A one year delay can reduce smaller tree values to zero.

Congress may have thought the Salvage Amendment reduced some of the process imposed on the Forest Service. The MOA signed by executive level departments instructed the Forest Service to continue with their existing assessment and planning process before accelerate levels of salvage and thinning sales can proceed. Some specific areas the Forest Service is wasting critical time on are:

- 1) Late Succession Reserve (LSR) and Adapted Management Area (AMA) Assessments and plans. The LSR plans must then be reviewed and approved by the Regional Ecosystem Office.
- 2) Watershed Analysis (WA) in key watersheds.
- 3) Threatened and Endangered Specie consultation with U.S. Fish and Wildlife Service Biologists.
- 4) Archeological consultations with the State Office of Historic Preservation.

These laborious assessments, consultations and reviews are not only extending the time needed to prepare projects but also take skilled personal away from sale preparation. Projects are projected to take 3 to 6 months longer to prepare. Many of the worst salvage areas are in LSR areas since little or no salvage was able to proceed during the injunction and FEMAT periods. These areas need to have an expedited process to allow forest health to improve. The level of assessment, analysis and planning mandated by Option 9 is inappropriate for many of the Forest Health salvage and thinning projects which should begin immediately. A programmatic EA approach could be used to address possible impacts to the environment and site specific protection and mitigation implemented by the field personnel developing the Forest Health projects.

An Environmental Assessment (EA) will still be done for all projects following NEPA. The Interdisciplinary Team (ID Team) which develops the EA is composed of resource

professionals from many disciplines as needed, including Forestry, Wildlife and Fisheries, Soils, Landscape Architecture, Geology, Recreation, Hydrology and Ecology. The multi discipline approach to project review allows for all resources to be considered. The resulting projects can consider the whole forest and its ecosystem. The ID team is able to evaluate and develop Forest Health Projects which manage all the resources without excessive time being wasted on multi agency review and single resource analysis.

Critics of the Salvage Amendment will claim the increase in Forest Health Projects will be too high of a risk to the environment. The real risk is not with the projects but with leaving our forests to deteriorate further and allowing the capital in those trees to be wasted instead of put towards reducing fire risk and fuel loading.

Written Testimony for U.S. House of Representatives
Committee on Resources
Task Force on Timber Salvage and Forest Health

Redding, California October 21, 1995

BY

Kirby D. Molen
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Auberry, California

Summary of Written Comments by Kirby D. Molen, Timber Manager,
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 Task Force on Timber Salvage
 House Committee on Resources
 October 21, 1995
 Redding, Calif.

My name is Kirby D. Molen and I am the Timber Manager for Dinuba Timber Industries, Inc. in Auberry, California. I am a graduate Forest Engineer and a Registered Professional Forester in the State of California. At one time Dinuba Timber Industries, Inc. operated three sawmills in California, one in Joseph, Oregon and one in Townsend, Montana. Due to the reduction in the harvests of timber on Federal Timberlands, three of the sawmills have been closed, one has been sold and only one of five sawmills (Townsend, Montana) remains operating under our ownership. That mill remains open mainly due logs supplied off of private timberlands.

I am reminded of these sawmill closures on a daily basis because my office is located in one of the sawmills that was forced to close. I am the only employee at a sawmill site that employed over 100 people at its peak. Two of our mills are currently being dismantled and much of the machinery is going overseas where environmental regulation has still been kept under control.

These sawmills closed prior to the 1994 midterm elections. The current Congress has made strides to make changes in the harvest of salvage timber on National Forest lands and for that they are to be commended. That having been said, it is my opinion

that the current legislation with respect to salvage timber on public lands has had a slow start in being implemented. In defense of the Sierra National Forest which I am familiar with, they have used the Timber Salvage Legislation to prepare and sell a 20 MMBF fire salvage timber sale that could have been stalled by the local environmental community. Only time will tell whether the legislation will be truly fruitful.

In my opinion, several changes within the Forest Service will be necessary in order to be able to carry out the intent of the legislation.

1- Timber management officers at the individual forest and district level should interpret the legislation in a much broader scope. Some line officers have interpreted the legislation to be directed only to salvage derived from fire or insect damage. A broader interpretation of salvage should be the definition spelled out by the California Department of Forestry which states "Salvage is the removal of ... trees that are dead, dying or deteriorating, because of damage from fire, wind, insects, disease, flood or other injurious agents, in order to obtain an economic gain before their value is lost".¹ This interpretation would allow the Forest Service to address the FOREST HEALTH issue which plagues their undermanaged stands of timber.

Many Forest Service line officers are awaiting a more accurate definition of what salvage is and perhaps the definition provided

above could be used to provide direction. RECOMMENDATION: The broader definition of salvage which includes dead, dying and deteriorating trees would certainly expand the opportunities for production of wood products and should be stressed with line officers. THE PUBLIC WOULD BE APPALLED IF THEY WERE AWARE OF THE TAXPAYER DOLLARS, IN THE FORM OF TREES, THAT ARE BEING LEFT TO ROT INSTEAD OF BEING HARVESTED.

2- The input from the "ologists" should be streamlined. The input from hydrologists, biologists, archaeologists, ecologists, and other employees associated with input into a timber sale should be important but, also, time sensitive. These specialists should be required to provide input into projects in a timely manner. Some small sales are taking over a year to reach the bidding table due to the large amount of background material and input from all parties required. It is not uncommon for a project to be held up simply because an employee goes on vacation and other employees don't pick up the work load. RECOMMENDATION: Place time constraints upon the input of information for a project. If input is not received in a timely manner, then the assumption is that the area of concern is not important for this project.

3- There needs to be a hierarchy in the decision making process associated with the production for salvage timber sales. Quite often these sales are designed by ad hoc teams where a committee makes the decisions. This leads to wasted time trying to get all of "the players" together in one room. Certainly input

from the team is necessary, however there should be a leader with the ability to act decisively and quickly. It is often hard to find the person with the authority to make decisions within this organization. RECOMMENDATION: Give lead employees the authority to make decisions on the local level and then hold them accountable for the results, similar to the private sector.

4- The presence of the California Spotted Owl Guidelines are restricting the size and amount of individual salvage trees that can be harvested. The implementation of these guidelines were driven by the threat of litigation and has brought the lumber industry in the Sierra's to a halt. The California Spotted Owl is only listed on the Forest Service Internal Sensitive Species and is not on the U.S. Fish and Wildlife list and therefore the need for these guidelines is questionable. RECOMMENDATION: Place a moratorium on these guidelines and should litigation result, let the chips fall where they may. These guidelines are not good for the health of the forest or the communities dependant on wood products.

5- Finally there is a need to deal with unproductive Forest Service employees. Legislation passed by Congress means nothing if the ability to carry out the objective is limited by the lack of accountability and production performances. Supervisors need the ability to terminate unproductive employees and promote employees based upon exceptional performance. Forest Service hiring and performance policies need to be reviewed and modified to make

employees responsible for a finished product, which in this case is the production of salvage timber. Supervisory personnel have little or no control of the workforce if there is no accountability for the lack of performance. In the private sector, you are given a task to perform and then held accountable for performance. Non production can not be tolerated and superior performance should be rewarded. RECOMMENDATION: Place production quotas on upper and middle management employees and hold them accountable. Lower level field employees responsible for implementing policy in the field should be required to perform or be subject to termination or transfer. This will not be easy, but the generals, majors and captains are no longer running the army and this needs to change. Accountability needs to be demanded, required and rewarded.

This concludes my remarks and recommendations.

Kirby D. Molen

October 18, 1995

Reference Cited:

- 1- California Forest Practice Rules 913.3 (b) page 55

California Timber Harvest

1986 - 1994

(By County)

A Publication of
Associated California Loggers

This data is summarized from State Board of Equalization reports. Rounding causes some minor variation from the original reports. Data is updated each year as the previous year's information becomes available.

October 1995

**TIMBER PRODUCTION FROM
PRIVATE AND PUBLIC LANDS
1986 - 1994
(Million Bd. Ft.)**

County (31)	1986	1987	1988	1989	1990	1991	1992	1993	1994
Alpine									
Private	1.8	.5	0.4	0.9	0.7	0.3	0.1	0.0	0.1
Public	1.6	4.7	9.2	0.5	0.5	0.5	0.9	0.6	0.0
Total	3.4	8.2	9.6	1.4	1.1	0.8	1.0	0.6	0.1
Amador									
Private	26.4	26.1	17.6	65.9	70.7	42.3	29.7	25.2	25.5
Public	8.6	20.5	14.1	36.9	8.7	15.7	13.3	0.8	0.7
Total	35.0	46.6	31.7	102.8	79.4	58.0	43.0	26.0	26.2
Butte									
Private	77.4	59.2	100.8	57.1	45.5	60.1	30.4	91.2	96.2
Public	6.2	11.6	145.7	25.2	5.8	15.9	8.6	5.8	1.5
Total	83.6	70.8	146.5	82.3	51.3	77.0	39.0	97.0	97.7
Calaveras									
Private	69.5	56.0	66.0	126.6	141.9	79.8	54.6	61.6	47.5
Public	18.2	30.4	33.5	8.4	22.4	15.2	10.4	19.4	2.2
Total	87.7	86.4	99.5	135.0	164.3	95.0	65.0	81.0	49.7
Del Norte									
Private	156.8	143.3	142.9	114.5	148.0	100.0	86.5	94.1	77.1
Public	32.2	34.7	49.8	8.4	27.8	25.0	7.5	2.9	6.3
Total	189.0	178.0	192.7	122.9	175.8	125.0	94.0	97.0	83.4
El Dorado									
Private	161.4	89.2	105.3	128.7	161.9	81.5	69.9	123.4	112.5
Public	131.3	137.7	113.6	144.8	158.2	112.5	82.1	118.6	16.6
Total	292.7	226.9	218.9	273.5	320.1	194.0	152.0	243.0	129.1
Fresno									
Private	8.7	14.7	3.2	14.7	11.5	10.8	13.0	11.5	10.3
Public	69.2	72.2	78.7	75.0	49.1	36.2	46.0	29.5	8.7
Total	77.9	86.9	81.9	89.7	60.6	47.0	59.0	41.0	19.0
Glenn									
Private	6.0	3.9	12.3	19.9	26.2	8.0	1.4	6.2	6.4
Public	28.5	12.5	17.3	17.1	8.9	6.0	11.6	2.8	2.2
Total	34.5	16.4	29.6	37.0	35.1	14.0	13.0	9.0	8.6
Humboldt									
Private	570.8	644.4	644.8	571.2	584.6	435.2	466.5	455.7	486.6
Public	86.6	128.9	109.2	86.7	26.1	27.8	9.5	9.3	2.1
Total	657.4	773.3	754.0	657.9	610.7	463.0	476.0	465.0	488.7
Kern									
Private	0.0	0.0	0.0	0.0	0.0	0.3	.4	0.1	3.1
Public	6.5	1.9	19.0	7.6	2.5	6.7	3.6	7.9	0.3
Total	6.5	1.9	19.0	7.6	2.5	7.0	4.0	8.0	3.4
Lake									
Private	8.1	8.3	7.6	8.0	10.7	3.1	3.4	6.2	7.6
Public	38.8	23.4	35.2	14.6	1.9	0.9	0.6	1.8	0.0
Total	46.9	31.7	42.8	22.6	12.6	4.0	4.0	8.0	7.6
Lassen									
Private	15.8	21.9	50.6	51.6	49.8	51.3	67.6	80.2	73.1
Public	96.1	68.8	73.1	55.7	44.8	62.7	36.4	55.8	52.8
Total	105.9	102.7	123.7	107.3	94.6	114.0	104.0	136.0	125.9

A:\TABS WPD

- TIMBER PRODUCTION - Page Two

	1986	1987	1988	1989	1990	1991	1992	1993	1994
Hadera									
Private	0.1	0.5	0.2	0.7	3.8	8.0	3.0	4.0	3.7
Public	74.6	72.0	62.2	67.2	76.0	27.0	39.0	18.0	9.1
Total	74.7	72.5	62.4	67.9	79.8	35.0	42.0	22.0	12.8
Mariposa									
Private	4.9	6.8	14.5	8.8	10.6	8.8	10.0	3.8	2.6
Public	11.9	7.4	76.0	76.0	15.3	33.2	10.0	7.0	0.2
Total	16.8	14.2	86.2	84.8	15.9	42.0	20.0	7.0	2.8
Mendocino									
Private	385.7	436.9	412.0	464.7	398.3	255.5	243.5	234.6	218.7
Public	34.4	41.9	65.2	51.7	24.5	22.5	7.5	20.4	8.7
Total	420.1	478.8	477.2	516.4	422.8	278.0	251.0	255.0	227.4
Modoc									
Private	9.3	14.8	11.8	7.8	37.7	17.5	31.6	59.8	54.7
Public	25.2	45.0	36.2	43.1	52.7	17.5	30.4	28.2	35.7
Total	34.5	59.8	48.0	50.9	90.4	35.0	62.0	88.0	90.4
Nevada									
Private	13.9	35.1	79.4	56.3	29.7	34.3	44.8	33.8	40.6
Public	30.8	43.6	42.9	40.9	24.0	31.7	19.2	4.2	3.5
Total	44.7	78.7	122.3	97.2	53.7	66.0	64.0	38.0	44.1
Placer									
Private	25.5	47.8	85.3	84.0	141.3	85.0	90.7	52.2	54.1
Public	49.1	59.7	34.8	35.7	31.2	40.0	17.3	5.8	1.5
Total	74.6	107.5	120.1	119.7	172.5	125.0	108.0	58.0	55.6
Plumas									
Private	70.4	74.5	47.6	83.0	85.0	82.4	106.1	75.6	66.4
Public	23.8	24.7	173.8	174.2	162.6	201.6	114.9	59.4	38.4
Total	308.2	322.2	221.4	257.2	247.6	284.0	221.0	135.0	104.8
San Mateo									
Private	10.5	6.9	13.5	10.3	7.9	10.0	9.0	9.0	7.5
Public	0.0	0.0	1.1	0.0	0.0	0.0	0.0	0.0	0.0
Total	10.5	6.9	14.6	10.3	7.9	10.0	9.0	9.0	7.5
Santa Clara									
Private	4.5	4.9	2.3	3.9	4.8	0.9	2.0	5.0	2.9
Public	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total	4.5	4.9	2.3	3.9	4.8	0.9	2.0	5.0	2.9
Santa Cruz									
Private	6.2	15.6	16.0	17.0	17.7	20.9	17.0	23.8	22.8
Public	0.9	0.3	0.0	0.0	3.0	0.1	0.0	0.2	0.0
Total	7.1	15.9	16.0	17.0	18.7	21.0	17.0	24.0	22.8
Shasta									
Private	138.4	182.2	226.5	157.3	114.6	157.6	310.8	406.1	43.4
Public	90.0	77.3	42.8	44.9	55.8	39.4	59.2	16.9	134.4
Total	228.4	259.5	269.3	202.2	170.4	197.0	370.0	423.0	177.8
Sierra									
Private	43.3	67.0	46.2	35.8	27.2	21.1	9.9	20.0	18.3
Public	75.5	74.4	160.3	66.4	56.9	26.9	28.1	16.3	17.0
Total	118.8	141.4	206.5	102.2	84.1	48.0	38.0	37.0	34.6

A:\TABS.WPD

. TIMEFR PRODUCTION - Page Three

	1986	1987	1988	1989	1990	1991	1992	1993	1994
Siakiyou	Private 264.3 Public 284.6 Total 548.9	282.3 309.4 591.7	268.9 318.5 587.4	210.3 315.4 525.7	200.8 194.8 395.6	157.4 100.6 258.0	160.4 82.6 243.0	132.0 31.0 163.0	129.1 55.2 180.3
Sonoma	Private 25.6 Public 0.0 Total 25.6	26.4 0.0 26.4	38.2 0.0 38.2	50.5 0.0 50.5	52.2 0.0 52.2	33.0 0.0 33.0	29.0 0.0 29.0	35.0 0.0 35.0	28.0 0.0 28.0
Tehama	Private 95.3 Public 55.1 Total 150.4	120.7 43.2 163.9	115.7 44.1 159.8	74.8 29.8 104.6	84.4 50.5 134.9	126.4 20.6 147.0	46.0 17.0 63.0	38.6 7.4 46.0	46.1 10.2 56.3
Trinity	Private 121.4 Public 161.1 Total 282.5	138.1 159.1 297.2	105.1 209.3 314.4	114.7 170.8 285.5	139.1 85.1 224.2	99.4 95.6 195.0	112.2 57.8 170.0	88.8 52.2 141.0	90.4 4.5 94.9
Tulare	Private 4.3 Public 65.1 Total 69.4	1.4 49.6 51.0	3.2 33.2 36.4	8.3 50.3 58.6	5.2 38.4 43.6	3.0 58.0 61.0	2.6 40.4 43.0	2.6 19.4 22.0	6.1 6.9 13.0
Tuolumne	Private 55.7 Public 123.9 Total 179.6	72.5 79.5 152.0	14.2 120.9 135.1	67.0 63.7 130.7	54.9 97.6 152.5	49.6 84.4 134.0	47.7 63.3 111.0	50.4 61.6 112.0	55.2 38.3 93.5
Yuba	Private 10.5 Public 24.1 Total 34.6	23.2 3.4 26.6	10.1 7.5 17.6	19.3 10.1 29.4	18.5 7.1 25.6	9.9 7.1 17.0	22.9 6.1 29.0	33.7 3.3 37.0	20.6 3.3 22.2
TOTAL PRODUCTION	1986	1987	1988	1989	1990	1991	1992	1993	1994

31 Counties:

Private	2,483.5	2,637.1	2,662.2	2,639.6	2,685.2	2,053.4	2,122.7	2,264.2	1,957.2
Public	1,861.9	1,853.8	2,022.8	1,723.1	1,720.1	1,132.5	823.3	603.4	453.9
Total	4,254.4	4,490.9	4,685.0	4,362.7	4,005.3	3,185.9	2,946.0	2,867.6	2,311.1



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October 17, 1995

758-0382

The Honorable Wes Cooley
Chairman
Timber Salvage Task Force
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

The following material outlines our approach to salvage logging and how it relates to "forest health" issues. I hope it will stimulate a responsible, constructive discussion of this practice, as well as forest management generally.

Our objections to conventional salvage programs arise from the fact that—even before the passage of the salvage rider—many salvage sales:

- Remove healthy trees;
- Are taxpayer-subsidized;
- Circumvent environmental law;
- Target roadless areas and old-growth groves; and
- Often worsen the fuel levels and forest health conditions they are ostensibly meant to improve.

Examples of such destructive salvage sales include the Barkley Fire Salvage in the Lassen National Forest, and portions of the Cottonwood Salvage Sale in the Tahoe National Forest.

As the attached material reveals, there are ways in which salvage logging (and more importantly, thinning) may have neutral, and perhaps even positive effects upon fuel loads and forest health. Unfortunately, most of the large-scale salvage projects we have seen thus far do nothing to address these concerns. In fact, they often make them far worse.



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Redwood Coast Law Center
The Red Mountain Association
The Rural Institute
Sacramento River Preservation Trust
San Diego Chapter, Sierra Club
San Fernando Valley Audubon Society
Save Our Ancient Forest Ecology
Sea and Sage Audubon Society
Sierra Club Legal Defense Fund
Sierra Trails
Sierra Mountain Wilderness Council
South Fork Watershed Association
South Yuba River Citizen League
Tulare County Audubon Society
U.C. Davis Environmental Law Society
Ventura Wildlands Group
Western Sierras Endurance Run
The Wilderness Society
Wentworth Audubon Society
Yolo Group, Sierra Club
Yolo Environmental Resource Center

The Honorable Wes Cooley, Chairman
CWC testimony before the Timber Salvage Task Force
October 17, 1995
Page 2 of 2

The salvage rider, as its supporters intended, will make it more difficult for conservationists to stop destructive salvage sales. It has also dealt a blow to the emerging consensus in California between environmentalists, the timber industry, the Forest Service, and other interests over forest health issues. Over the last year and a half for example, the importance of thinning and prescribe fire for forest health has been recognized more than ever before. It is conceivable that a compromise will emerge in the near future between all sides that will preserve roadless areas and old-growth forests, while allowing logging, thinning, and biomass treatments in dense, young stands, and in the rural-urban interface. Prescribed fire could be used in more sensitive and isolated areas to restore forest health. This compromise would be good for our forests, good for wildlife, and good for our economy. Unfortunately, it appears that many members of Congress are determined to thwart this consensus and return us to the timber wars of the 1980s.

Thank you for your attention to this matter. I look forward to discussing this and other forest management issues with the Timber Salvage Task Force.

Sincerely,



Ryan Henson
Conservation Associate

Salvage logging and forest ecosystems: a conservationist approach

Prepared by the California Wilderness Coalition

What is salvage logging?

Salvage logging is the removal of trees that are supposedly either dead or dying as the result of fire, disease, windstorms, insects, or other natural events.

Why are salvage sales conducted?

I. Profit: To "salvage" the economic value of dead or dying trees before they decompose.

II. "Forest health:" Though no scientific data exist to demonstrate that salvage logging contributes to fuels reduction, insect and disease control, or overall forest health, these goals are now touted by the Forest Service and timber industry as the primary justification for salvage logging. Research into the relationship between salvage logging and the achievement of these goals has been slow and, thus far, fruitless.

III. Agency budgets: While the Forest Service must share a portion of its profits from conventional timber sales with counties, the agency is allowed to keep 100 percent of its salvage sale receipts. Thus, these sales are often quite lucrative for the agency, though they cost the federal treasury millions of dollars annually since they are typically sold at below-market values. As the Forest Service budget has shrunk in recent years, the number of salvage sales has risen dramatically.

IV. Fewer regulations: Salvage sales take a third of the time to prepare and sell than conventional timber sales. In addition, there are fewer protections required for water, plants, animals, and soil during salvage sales, making it easier to log areas that are usually protected (e.g. streamside zones, steep slopes, erosion-prone regions, and areas where forests will not grow back).

How much salvage logging occurs in California?

In 1993, 692.5 million board feet of wood was sold from California's national forest lands, and 27 percent of that was derived from salvage logging. In 1994, 603 million board feet of wood was sold in California, with 40 percent from salvage logging. This proportional increase in salvage logging is attributable to reduced budgets and the need by Forest Service Region 5 to compensate for the reduced

logging levels mandated by President Clinton's Northwest Forest Plan and the California Spotted Owl Report. The Forest Service anticipates that salvage logging will continue to increase as the number of conventional timber sales are reduced in response to fiscal and environmental constraints.

Why do conservationists object to many conventional salvage logging operations?

I. Roadless area destruction: Roadless areas are the pristine, undeveloped lands identified by the Forest Service in the mid-1970s as part of the agency's roadless area review and evaluation (RARE) surveys. Many have since been designated as wilderness by Congress, but some two million acres of roadless areas in California remain unprotected.

Roadless areas are critically important for biological diversity and watershed health, sometimes even more so than the state's designated wilderness areas that feature high-elevation "rock and ice" habitat of little value to most plants and wildlife. As Representative John Porter (R-IL) argued last year in his attempt to pass a one-year moratorium on road construction in these areas,

Roadless regions exemplify the least human-disturbed forest and stream systems, the last reservoirs of ecological diversity, and the primary benchmark for restoring ecological health and integrity.

Many roadless areas remain intact today because their terrain makes them more expensive for logging and road construction than more accessible, developed regions. Roadless areas also frequently contain sensitive soils, steep slopes, fragile watersheds, and important wildlife and plant habitats. With the increased emphasis on fiscal and ecological responsibility by the Forest Service, fewer and fewer conventional timber sales are proposed for these areas. However, since salvage logging is not subject to many of the fiscal and environmental constraints imposed on conventional sales, salvage logging is now the primary cause of roadless area destruction in California. For example, of the 17 roadless area timber sales the California Wilderness Coalition has opposed since January 1, 1994, 15 have been salvage sales.

II. Old-growth habitats threatened: Today, most of California's old-growth groves have been logged, leaving old-growth only in the most inaccessible and commercially marginal areas, over 95 percent of

which is public land. Not incidentally, much of this ancient forest remains in roadless areas where difficult topography and fragile soil and watershed conditions make conventional logging economically infeasible and ecologically unjustifiable.

As mentioned above, however, salvage logging is not bound by traditional budgetary constraints and is immune from in-depth environmental reviews. These loopholes allow salvage logging to occur in isolated old-growth groves that could not be logged through conventional means before.

III. Fire danger, insect infestations, and disease aggravated: Fire suppression, clearcutting, and other management practices in our national forests over the last 80 years have encouraged the growth of crowded groups of small trees. Clearcutting, for example, has created vast plantations of small, dense stands, and fire suppression has left many forest understories crowded with small trees that otherwise would have been thinned by fire.

These crowded stands of trees have to compete for scarce water and other resources, leaving them overly vulnerable to drought, insects, and disease. The stands are also a significant fire threat since their crowded conditions are conducive to unnaturally hot, fast fires. Where these crowded saplings grow among larger trees, the larger trees are threatened since the small trees act as "fuel ladders" that allow fire to reach the crowns of their taller neighbors. For these reasons, fire managers have long realized that the most fire-resistant forests are dominated by large, old trees; the most vulnerable ones by small, crowded trees. These crowded, small stands also perpetuate other forest health problems, including insect infestations and disease. While fire, insects, and disease play crucial roles in natural stands by thinning forests and creating habitat for species of plants and wildlife dependent on standing dead trees and down logs, the dense plantations created by logging exacerbate these natural processes and intensify their effects.

Unfortunately, salvage logging does not always remove the small, dead and dying trees that increase the risk of fire, disease, and insect infestations. Instead, salvage sales often remove the larger, older trees that are worth far more money than small trees. Thus, most salvage sales do nothing to reduce fuel loads or alleviate insect and disease epidemics. Indeed, by creating slash (logging debris) and roads and by replacing mature, fire- and disease-resistant stands of trees with highly flammable plantations, salvage logging may do far more harm than good.

The thinning of small trees, followed by comprehensive slash treatment, is a much more effective way to reduce stand density, promote the growth of remaining trees, reduce mortality, and lower the risk of stand-replacing fire. Fortunately, both the Forest Service and the timber industry are recognizing that thinning is a more effective forest health treatment than salvage logging.

IV. Water quality and soil health impaired: By compacting soils and causing erosion, post-fire salvage in particular often impairs the ability of soils and watersheds to recover from natural disturbances. Studies conducted by the Public Forestry Foundation determined that soil recovery and forest regeneration are directly proportionate to the number of burned trees left standing following salvage logging. When stand density falls below critical levels as a result of salvage logging, nutrient rebuilding and recycling in the soil is severely impaired and little or no forest regeneration occurs.

Though all logging, salvage or otherwise, has the potential to harm streams and rivers through siltation, removal of streamside vegetation, and soil erosion and compaction, salvage logging is particularly harmful because it often occurs in tandem with natural disturbances like fire or windstorms that themselves cause large-scale ecological disturbance. This two-fold disruption makes salvage logging far more threatening to watershed and soil health than the natural disturbances it ostensibly addresses, especially since salvage logging is allowed in streamside zones and other areas typically off-limits to conventional logging.

V. Healthy trees salvage logged: The Forest Service's method of identifying dying trees is imperfect at best and often leads to gross miscalculations of mortality, with the result that perfectly healthy forests are cut down. In 1994 the Sierra Club Legal Defense Fund found that 25 to 75 percent of the trees marked as dead or dying in preparation for the Blue-Ray Salvage Sale (Klamath National Forest) were healthy. And recently, Trinity County conservation activists found that 50 percent of the trees marked dead or dying seven years ago for the South Fork Salvage Sale (Shasta-Trinity National Forest) are still alive. Fortunately, both of these sales—and both were in roadless areas—were successfully defeated in court.

Is any salvage logging appropriate?

Most conservationists do not object to responsible salvage operations that:

- Remove only trees that are confirmed dead (not simply assumed to be dying);
- Focus on areas of "catastrophic" mortality (where 50 percent of the stand is confirmed dead) resulting from fire suppression, past clearcutting, or other unnatural disturbances;
- Retain all living trees;
- Avoid roadless areas;
- Leave all large trees, whether living or dead, on-site and attempt to recreate old-growth stand conditions;
- Limit the use of bulldozers and other ground-based equipment that compacts soils;
- Protect riparian areas, soil fertility, and unstable areas; and
- Remove the flammable logging debris they generate.

Many salvage sales adhere to these principles. Excellent examples include the Green Springs Salvage Sale in the Modoc National Forest and the Woodfords Salvage and Thin on the Toiyabe National Forest. Unfortunately, most do not. Examples of destructive salvage sales include the Barkley Fire Salvage in the Lassen National Forest and the Cottonwood Salvage Sale in the Tahoe National Forest. Both of these sales are slated for roadless areas, steep slopes, sensitive watersheds, and unstable soils. In addition, these sales fail to target areas of catastrophic mortality and rely on mortality prediction methods that have proven highly unreliable elsewhere.

For more information, contact Ryan Henson at the California Wilderness Coalition, 2655 Portage Bay East, Suite 5, Davis, CA 95616 (916) 758-0380 Fax (916) 758-0382 E-mail: jeaton@dcn.davis.ca.us

Mr. Chairman:

My name is Robert MacMullin. I am a Registered Professional Forester and a Licensed Timber Operator in the State of California. During my summer logging operation I employ 7 men (heads of households), and in the winter (wet season) I employ 7 men and women (heads of households) planting trees.

I have a B.S. degree in Forest Management from Colorado State University and have over 22 years of woods experience, 18 of these years have been working in the woods of Northwestern California.

My profession allows me to have a broad spectrum of experience in land stewardship activities. As a Licensed Timber Operator in the State of California I am responsible for logging, road building, implementing harvest plans while protecting wildlife, water quality and visual amenities. As a Registered Professional Forester I am responsible for planting trees, cruising timber, conducting biological surveys for plants, wildlife and fish, performing archeological surveys and writing Timber Harvest Plans.

In consideration of what will be the most beneficial to this Task Force, I questioned myself as to what are the essentials of a healthy forest. I have considered the management on private lands as compared to public lands in Northern California and I have structured my testimony to:

First, illustrate a specific example of what is wrong with the management of public lands;
Second, to discuss what I feel is the cause of the problem; and
Third, to discuss potential solutions to the problem.

In my experienced opinion, we are managing the private timberlands of Northern California as responsible good land stewards.

Historically the U.S. Forest Service has performed similar forest management practices. In fact, some of the techniques that are currently being practiced on private lands were originally introduced on public lands by respected professionals. Many excellent foresters and resource managers have blessed our public forest with their past civil service.

Today our U.S. Forest Service no longer is concerned with upholding the tradition of quality stewardship. On the surface it is difficult to determine what went wrong. With the exception of the Salvage Amendment, there has essentially been no major legislation in almost twenty years that would cause the U.S. Forest Service to significantly alter sound stewardship of the public lands. The fact remains that there is a problem in the management of public lands in Northern California.

The photos that are being distributed to you show large valuable timber that was blown down during a windstorm. The windstorm occurred in January of 1993 and the trees have not been salvaged yet. I think there is a problem!

This site is on the Hayfork Ranger District of the Shasta Trinity National Forests and is located approximately 75 miles west of Redding, California.

Almost all of the valuable material shown in these photos is located within a few feet of a two lane paved road. There would be no new road construction required, no expensive logging systems required and essentially no environmental impact of salvaging this valuable resource. This salvage project could be designed such that the only mechanical equipment that would need to leave the paved road would be a chain saw. Yet the U.S. Forest Service has allowed this timber to lie here for over two and one half years.

At the beginning of the first field season this valuable timber could have generated between \$500,000 to \$750,000 to the U.S. Forest Service. It would also have generated jobs for local woods workers and mill workers and many businesses that support the timber industry. It would have returned enough money to Trinity County to pay for two full time teachers in their school system. The U.S. Forest Service could have used some of the money generated from this project to finance resource enhancement work in the general area. This definitely would not have been a below cost sale.

Instead of salvaging this commodity and capturing the value, the U.S. Forest Service has allowed this timber to lie here and deteriorate. While this timber is still economical to salvage, the value to the U.S. Forest Service has deteriorated to between \$50,000 and \$100,000. As a result there will be less jobs for woods workers and mill workers, less local business stimulation, less county receipts to be used in education or roads, and less potential for resource enhancement work in the local area. To add insult to injury in this situation, the Hayfork District Ranger in charge during this time has now been promoted.

Since the enactment of the Salvage Amendment of the Recision Bill, the U.S. Forest Service says that they plan to sell the remaining merchantable volume in this area. It has been almost three months since the Salvage Amendment has been signed into law and nothing has happened. With the coming of winter, the logging season is getting short and I don't anticipate that the U.S. Forest Service will offer this volume until next field season, if they ever do.

I feel that the cause of this great waste of public resources as well as other similar situations rest solely within the U.S. Forest Service organization. Local resource professional within the U.S. Forest Service are being micro-managed by Forest Service Regional Office personnel, Oversight Teams in Portland, Oregon and Washington DC. While the current Administration is very blatant about concentrating power and decision making authority at the highest level, previous administrations have not been innocent.

This micro-management results in stripping the local managers of the decision making authority necessary to practice sound stewardship at the local level. Decisions are being made by people who have little or no knowledge of the local environmental or social consequences of their actions.

The result is that local resource professional and decision makers get complacent about implementing sound stewardship because they know that their knowledge and experience will not be considered in the decisions made at higher levels. Since local resource professionals and decisions makers are no longer busy with implementing sound stewardship on the ground, they start occupying their time with other work. They start seeing themselves as people who are responsible to implement social change in local communities or people who are experts in manipulating planning data, anything except implementing sound stewardship on the public's land.

While the current Administration is responsible for the state of the U.S. Forest Service, the United States Congress is responsible for perpetuating the situation by funding the status quo within the Agency. We need to change the way our public lands are managed and we need to change now!

When I read the Salvage Amendment, I felt that the United States Congress is also feeling that change is necessary. I also felt that the section of the Amendment that dealt with contracting the planning and preparation of the salvage activities provided a very valuable solution to the complacency problem that now exists in the U.S. Forest Service.

Regional Office personnel as well as local Forest Service officials discourage contracting. The primary excuse is that contractors cost too much per hour. What they fail to consider is that the private sector is extremely more productive than the current Forest Service organization. A private consultant could plan and prepare this salvage for about one third of the Forest Service cost.

Private consultants could plan and prepare the project in a fraction of the time it takes the Forest Service to plan and prepare a similar project. Contracting salvage sale planning and preparation would almost eliminate the deterioration that occurs while the Forest Service slowly winds through their planning process. If the planning and preparation of salvage material was contracted, the result should be more valuable material being offered to local economies and less rotten material being wasted.

Contracting salvage sale planning and preparation would result in more value being captured from the salvage material. This would allow more money in the projects to treat fuels to reduce fire hazards and implement forest health projects. More money would be returned to local counties that desperately need the money for schools and roads.

Harvesting and processing sound salvageable material requires significantly more manpower than piling and burning deteriorated timber. Expedited implementation of the Salvage Amendment through contracting would result in more displaced timber workers being employed doing productive meaningful work. Quickly capturing the salvage timber before it has a chance to deteriorate in volume and value would stimulate local economies and eliminate the below cost timber sale problem.

PHOTOS OF LARGE VALUABLE SALVAGE MATERIAL

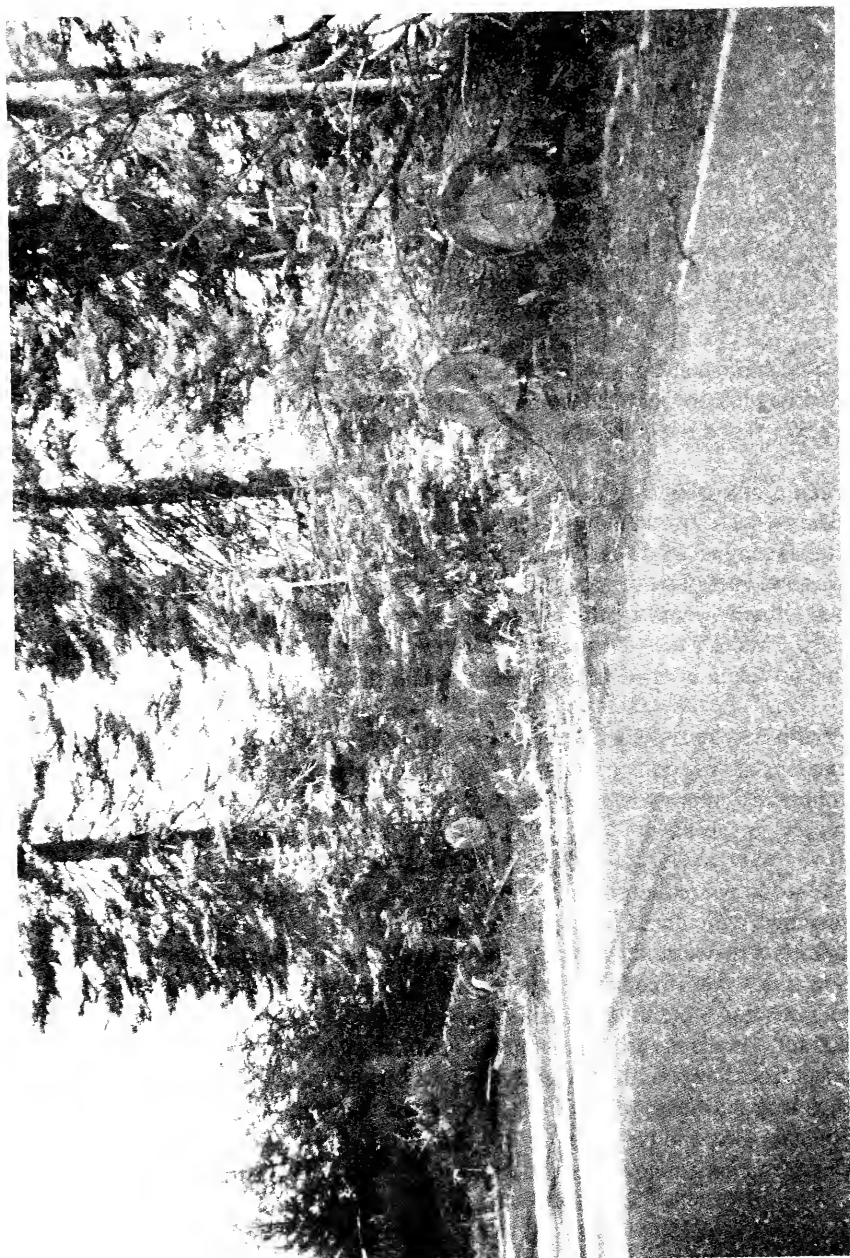
The salvage volume is located within a few feet of a paved road.

The salvage material has not been harvested for almost 3 years.

As a result the value has deteriorated 80 to 90 percent of its original potential.







Testimony of Martin J. McFadden, Jr.
Vice President
Pacific Wood Fuels Company
before the
House Emergency Salvage Task Force
Committee on Resources
on
October 21, 1995

Mr. Chairman and members of the Task Force, thank you for coming to Redding to conduct this hearing. I am Marty McFadden, Vice President of Pacific Wood Fuels Company.

Pacific Wood Fuels Company is a wholly owned subsidiary of Pacific Energy, which is in the business of developing, owning, operating and maintaining alternate energy facilities. Pacific Energy owns three wood waste to energy power plants in Northern California -- in Burney, Westwood and Oroville -- and is 50% partner in a fourth, located near Jamestown. Pacific Wood Fuels Company procures and produces wood waste for use as fuel for the four wood waste to energy plants owned by Pacific Energy.

Pacific Energy and Pacific Wood Fuels provide employment for 82 full time employees. In addition, we have seasonal work and make extensive use of contractors to provide us with services, such as trucking, which we cannot supply ourselves.

The wood waste fuel for our plants has come from a variety of sources -- sawmills, agricultural waste, urban wood, and, to a large degree, from the forests. The waste from the forests has been generated from thinning operations, from integrated logging and chipping operations, from reforestation projects, and from salvage operations. A substantial amount of fuel for our plants has come from reforestation and salvage operations that result from forest fires. We have received substantial amounts of fuel from such infamous fires as the Cohasset Fire, the Stanislaus Complex Fire, the Fountain Fire, and we anticipate receiving fuel from the Cottonwood Complex Fire which burned last year near Quincy. As a point of interest, our

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company started its fuel production operations on a small burned area called the Walker Fire Sale in 1991.

Using only a slightly twisted analysis, you could conclude that our plants are benefited by the forest fires, in that forest fires make large quantities of wood waste in a big hurry. However, the fact of the matter is that our forests are currently overloaded with wood waste and healthy forests provide more than enough wood waste to sustainably fuel not only Pacific Energy's plants, but also all the other wood waste to energy plants in California which are located near the forests. For business reasons as well as for public policy reasons, we strongly prefer to use wood waste fuel generated from healthy forests.

Prior to settlement by Europeans, the forest management took care of itself naturally in low intensity open burns which occurred frequently. Following settlement, fire suppression eliminated natural fire from forest processes allowing the build up of too many trees in the forest. The trees that grew in following fire suppression and early logging operations are principally shade tolerant species which grow thickly. The result is an unhealthy forest, susceptible to catastrophic forest fire, disease, insect infestation and drought. Not coincidentally, we have all of these in California's National Forests. The excess trees in the forest, then, are wood waste, and must be removed.

The strategies for dealing with the waste are two: the waste can be burned in the open, or it can be collected by mechanical thinning. For most of California's forests, mechanical thinning has to be considered as the option that is currently viable.

Burning in the open means either wildfires or controlled or prescribed fires. While controlled or prescribed fires may have an important part to play in future forest management strategies, the fuel load in many of the forests is so high now that controlling the controlled fire is the problem. The likelihood and consequences of having a controlled fire escape its control boundary preclude using controlled fires in many areas. In addition, open burning, for whatever beneficial reason, decreases air quality.

In mechanical thinning operations, the waste is chipped and transported to wood waste to energy plants such as those owned by Pacific Energy. Some people have expressed concern that mechanical thinning may be disappearing

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as a disposal option in whole or in part for economic reasons and a discussion of the history and current state of wood waste to energy power plants is in order.

Most of the wood waste to energy facilities in California were built in the 1980's in response to an energy problem, and these plants were built as electric generating stations. The intended benefits were a reduction in dependence on foreign oil, increased diversity of supply in electrical generation, the use of a renewable resource in the generation of electricity and lower electricity rates. The wood waste to energy plants provided and provide all of the intended benefits except the lower electricity rates. No one was able to forecast the deep and continuing depression of natural gas prices, and market conditions have made wood waste generated power relatively expensive.

When the wood waste to energy plants were being developed, each signed a power purchase agreement with the local utility. For the most part, these power purchase agreements are Standard Offer #4, offered by the utilities at the direction of the California Public Utilities Commission. The Standard Offer #4 has many options that can be elected by the supplier of electricity so that the contracts are highly customized, but they have enough similarities in the principal features that they can be discussed as if they are uniform.

Each Standard Offer # 4 has a firm capacity payment for the life of the contract, which is typically 30 years. The firm capacity payment is earned by the electric supplier based on performance when electric demand is at its peak. Each Standard Offer has a provision for fixed energy prices for the first third of life of the contract, the prices being fixed by a table contained in the Standard Offer. At the end of the fixed price period, the energy price becomes the utility's avoided cost. Currently the fixed energy price in the Standard Offer is about 12 cents per kilowatt-hour. The short run avoided cost is about 2 cents per kilowatt-hour.

Thus every wood waste to energy plant is faced with a sudden and precipitous drop in their energy revenue at the end of the first third of their contracts. Most contracts were written for thirty year terms, and most plants were built between 1985 and 1989. The wood waste to energy plants are faced with the "cliff" right now, and there is genuine concern that few if any

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will be economically viable. All of Pacific Energy's wholly owned plants are effectively beyond the end of their fixed price period.

The necessary response of wood waste to energy plants to the change in energy prices is to decrease the output. The wood waste to energy plants will only consume that amount of wood waste that generates profit from the sale of electricity. Under current wood waste prices and short run avoided costs, Pacific Energy's plants will operate only at about 25% of their full capacity.

As a result of this severe cutback in electrical production, Pacific Energy has reduced the number of employees by 12. The layoffs were announced this month. In addition, we expect that the employees who remain working for us will see a decrease in the number of hours that they work, principally because of a decrease in overtime. In the current market, we do not foresee a return to full capacity, so these layoffs represent the permanent loss of high paying full time jobs, and the attendant tax base and economic activity associated with good jobs. However, the availability of economic wood waste fuel could alter this forecast, and Pacific Energy would be happy to operate our plants at or near full load again.'

Our expectation for the future is that we will continue to operate at reduced output for a long period of time, until all of the other wood waste to energy facilities have reached the end of their fixed price period and there is a margin between wood waste fuel cost and energy price. At that time, we believe our plants will again compete favorably with other wood waste to energy facilities both in the production of energy and in the cost effective disposal of wood waste. All of this presupposes that there is an ample supply of wood waste that can be made into fuel economically.

The issue of restructuring the electric industry complicates many of the market issues that wood waste to energy plants face. However, on balance, we believe that restructuring the electric utility industry will offer more opportunities for success to alternate energy, regardless of its source. There is one caveat, and that is that those who provide electrical energy from alternate sources must be paid for all of the benefits that they provide, not merely the commodity price for electricity, indexed at some border price. The original benefits of wood waste to energy plants -- reduced dependence on foreign oil, diversity of energy options and the use of a renewable resource

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for the production of electricity -- are still available and still being provided by the wood waste to energy plants.

As times and wood waste fuel markets have changed, so has the recognition of another benefit provided by wood waste to energy plants. By removing fuel load from unhealthy forests by mechanical thinning, some stands have been virtually fire proofed and by removing the dead, dying and inferior trees some of these stands have been returned to vigor. Some of the boundaries of the Cohasset Fire and the Cottonwood Fire that I noted above are clearly delineated by the boundaries of areas that had mechanical thinning performed to reduce fire load. In both of these cases, some of the waste wood from the thinning went to Pacific Energy's plants as fuel.

The effectiveness of mechanical thinning as a surrogate for natural low intensity fires is widely acknowledged. Professionals in every aspect of forest management recognize its value. The environmental community supports mechanical thinning, properly done, as an effective tool in managing forest health.

Pacific Wood Fuels Company has foreseen the current waste wood and energy price situation and as a matter of business strategy has opted to produce wood waste fuel from the forests by mechanical thinning and by slash removal. We are currently under contract to the Forest Service in an area called the Westside Biomass Sale. The Westside Biomass Sale is important to Pacific Wood Fuels because of the fuel that it generates for our power plant in Westwood. It is also important because we believe that it provides a model for the accomplishment of many of the goals of the salvage program.

In the Westside Biomass Sale, Pacific Wood Fuels proposed treatment prescriptions for widely scattered parcels or units of the Plumas National Forest. About 1600 acres were included in the Westside Biomass Sale. Following negotiations with the Forest Service about the performance of the work, and most importantly, about the desired final condition of each unit, Pacific Wood Fuels Company was awarded a contract to treat about 800 of the acres. It is our understanding that another company was awarded the other 800 acres.

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The work of the Westside Biomass Sale includes thinning, removing dead, dying, or malformed trees, removing accumulated slash from previous operations and preparing some areas for planting. The work yields certain products -- a few sawlogs and some waste wood chips. However, the measurement criteria for success of the work is not the number of board feet of sawlogs, nor of the amount of biomass removed. The criteria is number of acres for which the desired final condition is achieved. Each such acre is left in an improved, fire resistant state, so that health and vigor can return to that unit of the forest.

The change in performance measurement is important in assuring the sustainability of forest health and in providing the products of forest growth. The need to treat or manage the forest will be on going. To be sure, a massive program is necessary to remedy the fire suppression strategy of the past. But treated acres will be productive, and over time, new trees will grow in, older trees will mature and the acres will need to be treated again. However, the options for treating will be expanded. Fire can be introduced again in some areas as a management tool and prescribed burning following logging and slash clean up will mimic more closely natural "management" processes.

There is no reason that I am aware of that the salvage sales cannot be structured as the Westside Biomass Sale has been structured. The combination of salvage and thinning work and the achievement of the desired final condition for a large number of acres will simultaneously accomplish the goals of the salvage program and start the forest health recovery.

Pacific Wood Fuels Company and other companies in Northern California can support the salvage and forest health programs. Pacific Wood Fuels Company can follow salvage logging operations and perform the slash cleanup, thinning and site preparation work as we are doing on Westside Biomass. Other companies have capabilities similar to ours. Still others can perform all of the work in an integrated fashion. There is no doubt that the work force of the North State has the capability to perform -- and the workers want the work. The sawlogs and wood waste fuel generated from salvage and forest health work will ensure that mill workers and plant workers will keep their jobs.

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If salvage and forest health programs take on the dimensions that are appropriate to the danger to our forests, the sawmills and energy plants in Northern California can call back workers rather than lay them off. If the salvage and forest health programs take on the dimensions that are appropriate to the dangers to our forests, then both forest health and economic health will be restored to Northern California.

Thank you for this opportunity to address the Task Force. I would be pleased to answer any questions that you may have.



Central Sierra Environmental Resource Center
 Box 396 • Twain Harte, CA 95383 • (209) 586-7440 • FAX (209) 586-4986

Testimony submitted by John Buckley,
 Executive Director for the Central Sierra
 Environmental Resource Center (CSERC)

Task Force Chairman Cooley, Committee Chairman Young, and Committee members:

My name is John Buckley. Since 1990 I've served as the Executive Director for the Central Sierra Environmental Resource Center (CSERC)---a non-profit organization located in Twain Harte, California, northwest of Yosemite National Park. On behalf of our Center and the many volunteer conservation organizations of our local region, I appreciate this opportunity to provide a perspective on national forest salvage timber sales.

During this hearing, you will certainly hear claims by logging supporters that a high level of salvage logging will benefit forest health. That claim is based upon the assumption that aggressive logging is necessary to reduce the risk of destructive wildfires, damaging insects, and disease. In the past four years, that claim has been promoted repeatedly by the timber industry in response to pressures to reduce logging on national forest lands. The majority of Congress, including some of you attending this hearing session, have embraced that philosophy. You are convinced that high levels of logging must go forward for both the economic vitality of local communities and for the health of the public forests.

I believe that you are wrong.....and that the claim that a high level of logging equates with forest health is inaccurate, misleading, and at odds with my personal knowledge of national forests. In the following testimony, I hope to highlight why there is NOT a need for aggressive salvage logging, and explain why, in many cases, more logging is a burden to the American taxpayer, rather than a benefit.

Background for comments

From 1977 to 1990, I worked for the U.S. Forest Service as a firefighter and forestry technician. During those 13 years, I worked on various fire crews that traveled to major fires on national forests all across the country---from North Carolina and Georgia to Idaho and Southern California. As a result of my fire background, I am the author of Hotshot, a book on firefighting and the role of fire in the West.

I do not claim to be a biologist or a forester, but I do have a great deal of on-the-ground experience working with such professionals. During my years with the Forest Service, I worked in every area of timber management, from timber stand improvement projects to creating fuelbreaks to planting trees, cutting brush in tree

plantations, and burning clearcuts for site prep. I've been a foreman of a brush disposal crew treating logging slash after timber sales. I've served as a fire prevention technician, doing fire inspections of private property within national forest boundaries and dealing with the general public on fire safety. I've worked on crews doing soil stabilization/rehabilitation projects after destructive wildfires. And I've done months of silviculture stand surveys to evaluate the successes and failures of various kinds of timber management.

In addition to all of that on-the-ground experience, I've been a local environmental leader for nearly 15 years, reviewing hundreds of Forest Service timber sales and related projects. I've personally walked across many thousands of acres of national forest timber sales before, during, and after logging and reforestation. I've submitted technical comments on every significant project on the Stanislaus National Forest during the past six years. And I've spent countless hours in meetings and in the field with timber management officials, wildlife biologists, loggers, hydrologists, and soil scientists---all discussing the merits and problems of various kinds of logging on specific sites on national forest lands.

Logging does not equal forest health

Based on all of that experience, I believe that most members of Congress do not clearly understand one very basic fact concerning national forest issues.

1) Logging by itself does NOT reduce fire danger or insect damage. On the contrary, the logging of sawlogs , including salvage logging, can actually increase fire risk and the build-up of insect populations.

Proof of this can simply be shown by looking at fire history. During times of high levels of logging, such as 1987 in the Sierra Nevada, fires still burned at record levels. And during times of large destructive fires, areas that had been heavily logged burned just as completely and intensely as areas with less logging. Looking at the results of large fires and the growing incidence of big fires escaping the best efforts of fire suppression, it is apparent that logging has not reduced the risk of fire. After decades of intensive, aggressive logging across the national forests of the West, fire risk is greater now than earlier.

I will be the first to admit that some sections of national forests have become thickets that pose greater fire risk than if they were more open stands. Likewise, such stands face severe competition for moisture during drought and are more susceptible to insect damage. But even in those stands (which are not uniform across national forests), logging by itself does not reduce the risk of intense fire. The logging of sawlogs removes the slow-burning tree stems, yet leaves behind the highly flammable branches and tops of the cut trees, plus all of the build-up of pine needles, dead wood, brush, and flammable groundcovers that carry an explosive fire.

In most timber sales, only logging debris in roadside or landing areas is required to be adequately piled and burned. The branches and tops of cut trees from logging operations across most of the site are usually left untreated or treated by "lop and scatter" to a 36" depth fuel height limit. In other words, those 1" to 6" diameter fuels are left scattered across the logging site---providing fuel continuity that greatly increases the rate of spread for fires.

Fires burn most in non-conifer stands

Another major point about fire and salvage logging deals with where most destructive wildfires burn. Logging in most cases won't affect national forest lands that have the greatest incidence of burning and pose the greatest risk to private property and human safety. At least in the Sierra Nevada, the overwhelming majority of large, destructive wildfires in recent decades have ignited in the lower elevation fuels or at the bottom of steep canyons. There are exceptions like the Cottonwood Fire, but in most cases, the fuels were brush, or an oak and brush mixture, or scattered pine and mixed-conifers amidst brushfields. In these sites, thinning the forest by logging would have done little, if anything, to reduce the fire intensity or rate of spread.

One key reality of fire behavior needs to be noted. When conditions are extreme and fires easily escape control, fires that begin at the bottoms of steep slopes almost always will run to the top of those slopes before being caught by fire crews.

During the driest part of the late- summer fire season, when conditions are windy and hot, the fuels that carry a rapidly-growing fire are predominantly the flashy fuels of grass, brush, small trees, and dead material. Even if salvage logging removed most snags and greatly opened up timber stands, the remaining fuels such as brush, grass, and small trees will still burn intensely and out of control if those areas are located on steep slopes. Logging the stems of trees on most sites will not significantly reduce fire risk during times of extreme fire behavior. And it is during times of extreme fire behavior that most large fires do their damage.

Our historical attempts to exclude fire from national forest lands through decades of fire suppression have only allowed forest fuels to build-up so that when fires do burn, they may quickly get out of control. Only low intensity prescribed burning on a broad scale over many years will truly begin to make a difference and significantly reduce the risk of stand-replacing, destructive wildfires. If Congress truly wants to protect forest resources for the least expenditure of funds, then a massive program of prescribed burning---coupled with a moderate amount of thinning logging---is the real solution that would improve "forest health".

Economics

In the central region of the Sierra Nevada where I live, there have been repeated claims made by pro-logging politicians and timber industry officials that without greatly increased national forest timber sales, the timber industry will be "destroyed" and so will the local economy. This is an exaggeration of the facts.

First, lumber companies in my region, as elsewhere, hold ownership of a good percentage of all the prime timberlands, especially in the pine belt. Sierra Pacific Industries and Georgia-Pacific own together enough highly-productive, deep soiled timberlands within the boundaries of the Stanislaus National Forest to keep mills running for decades of sustainable logging. That may not be with double shifts at some mills as has occurred in recent years. But there is a huge supply of private timber available. And despite rhetoric to the contrary, the national forests continue to supply many millions of board feet of timber, even with lower budgets, reduced manpower, and biological constraints. There is still a viable, profitable timber industry in the Sierra Nevada and elsewhere, but times have changed.

For one thing, tourism is by far a much more important component of the local economy for almost all regions of the Sierra Nevada and other national forest regions than in the past. In Tuolumne and Calaveras Counties, the region where I work most, the timber industry overall makes up less than 5% of the work force, and much of that is only during the summer season. National Forest timber sales provide employment for only 2% to 3% of Tuolumne County workers, and far less than 1% of Calaveras County workers. The tourist industry makes up between 20% and 30% of the workforce, depending on whose figures you accept. At least 5000,000 visitors a year come to the Stanislaus Forest alone. That's a tremendous resource.

Even if logging played a greater role than it does, there is no critical need for demanding high levels of sales to bolster the industry. The industry will always want more wood during times of high prices, and be lukewarm about sales during times of lower prices. It should not be the role of the government to force large quantities of public forest timber onto the market simply to please the industry, especially when such sales lose so much money for taxpayers.

On the Stanislaus National Forest, a recent 9.7 million board feet timber sale (the Bee-Hart timber sale on the Summit District) recently was put up for bid and no one even offered to buy it at the low bid price of less than one penny per board foot.

Anyone could have bought nearly 10 million board feet of mixed-conifer and white fir timber for only \$91,759. Yet because a portion of the sale included helicopter removal of biomass material that would reduce fuel danger, that portion wasn't highly profitable so no one bid on the entire sale. Now, to respond to the lack of bids, the Forest Service is re-working the sale, deleting the requirement to log the biomass material in the helicopter portion of the sale, and giving up a key part of the benefits that might have been accomplished by that effort. But the Bee-Hart sale shows the conflict between what industry claims, and where it puts its money.

Simply put, the timber industry didn't bid on nearly 10 million board feet of green trees when the majority of the timber was easily-accessible from a main highway not far from the mill. If sales like this go without bidders, there is clearly not the critical demand for logs that industry has claimed.

Salvage Timber Sales and abuse by the Forest Service

Some members of Congress have characterized the Forest Service as too slow in getting out timber sales and as overly concerned about environmental concerns. While no one will debate the fact that government agencies are often slow to respond to shifts in direction or policy, I believe that the Forest Service has a record of being too aggressive with salvage timber sales, rather than too careful.

On the Stanislaus National Forest, I have monitored fire salvage sales for many years. Repeatedly I have found that Forest Service timber marking crews often mark for cutting healthy green trees that have no evidence of cambium damage.

On the A-Rock Fire on the Groveland District of the Stanislaus Forest, after spending many days walking the salvage timber sale and seeing many problems, I personally met with Forest Service officials to show them that many of the old growth trees were still growing, still had green foliage, and were putting out pine cones and new growth a year after the fire--but were marked wrongly as "dead and dying". The Forest Service admitted mistakes on some of the trees, but asserted that the guesses of professionals that many would die was sufficient for hundreds of other trees that they didn't have time to re-examine. So hundreds of green, healthy-appearing trees were cut despite protests from our Center and local groups.

Repeatedly we have found that the Forest Service is under such internal and external pressure to "get the cut out" that trees are marked that are marginal in salvage sales. On roadside "salvage sales" to remove trees that may pose hazards to the public, I have seen green, healthy trees marked for cutting even though they leaned away from roads and were not close enough to pose any risk. Trees with only a minor portion of their tops having top-kill were also marked and cut, despite being predominantly healthy.

During insect salvage sales which produced more than 200 million board feet of timber sales on the Stanislaus National Forest during the recent drought years, I frequently toured salvage sale areas with Forest Service timber staffs or with activists. Often we found trees marked for insect salvage cutting that showed no sign of beetle activity in the stem, no sign of crown fade, and no other sign of mortality. Forest officials shrugged off such incidents as honest mistakes. But when there is tremendous pressure to rush through marking operations to meet targets, the number of such mistakes must certainly rise.

"Dead and dying" appears not to be the focus

Under the current direction from Congress, "dead and dying" trees appear not to be the real focus of timber sales. Instead, trees that qualify as "imminently susceptible to fire or insect attack" are the target in many sales, which means that any green trees are the target, since any tree can die from those causes at any time.

Thus, the Forest Service is now beginning to qualify sales with almost no "dead and dying" trees as salvage sales.

On the Stanislaus National Forest, the Twin Thin green timber sale has been proposed for more than a year. It's focus was to thin out forested stands that are heavily stocked with mid-sized and small trees after decades of heavy selective logging. Yet suddenly, in the latest update, the Twin Thin timber sale is described as being under the Emergency Salvage Timber Sale Program law 104-19. This sale may have a very, very minor salvage component, but the vast majority of the stands have no current die-back occurring.

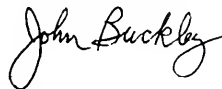
Forest Health really does equate with good economics and sustainability

Some of you here today see public forests from a viewpoint of jobs and profit. Others see national forests as a place for recreation, for watershed values, for wildlife, for beauty, for tourism, or for spiritual renewal. Yet all of those values, both economic and environmental, will suffer if true "forest health" is not nurtured.

But "forest health" is not equal to conifer trees being free from disease, insects, or risk of fire. Some level of disease, insects, and fire are always important to have in any forest, because they play a role in the natural functioning of the forest. Real forest health is when the groundcovers, bushes, hardwoods, conifers, wildlife, and watershed values of the forest ecosystem are diverse, abundant, healthy, and protected. Only when all of those process are functioning without impairment will we be able to sustainably take advantage of sawlogs, water, recreational uses, and other profit-making benefits of the forest.

I urge this committee and each of you as individual members of Congress to look beyond short-term economic benefits to the timber industry or even to some local communities, and focus instead on the long-term value that our public forests have as more and more people escape the pressures of urban living to recreate amidst national forest settings. Whipping the Forest Service into rushing out large quantities of sawlogs runs completely counter to the long-term health of these lands. It is time to move beyond the polarization and political backering that has been the norm in national forest issues, and to instead allow the agency to move steadily, but deliberately, into ecosystem management, where commodity products will be just one output of forest management---not the driving force.

Thank you for considering these comments. I welcome questions on any of the points covered.



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Testimony summary/outline

Key points:

- Logging by itself does NOT reduce fire danger or insect damage. On the contrary, logging can actually increase fire risk and insect populations.
- Looking at the results of large fires and the growing incidence of big fires escaping the best efforts of fire suppression, it is apparent that logging has not reduced the risk of fire. After decades of intensive, aggressive logging across the national forests of the West, fire risk is greater now than earlier.
- Logging in most cases won't affect fire risk on national forest lands that have the greatest incidence of burning and pose the greatest risk to private property and human safety. The brushfields, oak woodlands, and low elevation forest lands have the greatest risk to private property and human safety, yet few of these areas are heavily stocked with conifers where thinning is needed. Low intensity burning by prescription fire will do far more to solve wildfire risk than any salvage logging.
- Even in conifer timberlands where fire risk is high, if salvage logging removed most snags and greatly opened up timber stands, the remaining fuels such as brush, grass, and small trees will still burn intensely and out of control if those areas are located on steep slopes. Logging the stems of trees on most sites will not significantly reduce fire risk during times of extreme fire behavior.
- Economic values have been mis-represented. There is still a viable, profitable timber industry in the Sierra Nevada and elsewhere, but times have changed.
- A recent 9.7 million board feet timber sale was put up for bid and no one even offered to buy it at the low bid price of less than one penny per board foot.
- the Forest Service has a record of being too aggressive with salvage timber sales, rather than too careful.



THE WILDERNESS SOCIETY

CALIFORNIA NEVADA REGIONAL OFFICE

TESTIMONY OF LOUIS BLUMBERG, ASSISTANT REGIONAL DIRECTOR, THE WILDERNESS SOCIETY, CALIFORNIA - NEVADA OFFICE, BEFORE THE U.S. HOUSE OF REPRESENTATIVES, COMMITTEE ON RESOURCES, TASK FORCE ON TIMBER SALVAGE AND FOREST HEALTH, REDDING, CA, OCTOBER 21, 1995

Good afternoon Mr. Chairman and members of the Committee. I am Louis Blumberg, Assistant Regional Director of the California - Nevada office of The Wilderness Society. The Wilderness Society is a national conservation organization with 275,000 members, 50,000 of whom reside in California, focusing on the proper management of our public lands. I direct our office's national forest program.

TWS has been active on national forest issues since our inception in 1935. We have submitted testimony to Congress on national forest management, and salvage logging in particular, on several occasions in the past. For example, in 1992, I testified on salvage logging before the General Oversight Subcommittee of the House Natural Resources Committee. Ironically, that testimony is quite relevant to our discussion today. I have attached a copy of that testimony for your review and for the record.

In my testimony today, I would like to discuss the fallacy of the basis for the Emergency Timber Salvage legislation and the great costs increased salvage logging will engender for the environment of our public lands and for the American taxpayer. I will conclude with some recommendations for a scientifically supportable forest health program that is consistent with both the emerging principles of ecosystem management and our responsibilities as stewards of our country's important natural resources.

THERE IS NO FOREST HEALTH CRISIS

Our forests are not in an ecological crisis that justifies the suspension of our environmental laws. Where landscape conditions have changed because of past practices, most notably fire suppression and bad logging, a well-considered strategy is needed that restores complex ecosystem processes, not a policy of massive logging across all the public lands of the western United States, a policy adopted under the pretext of a crisis situation.

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Scientific evidence shows that insects and fires are not the real problems in our forests. For example, in its assessment of forest conditions in Northwest, the Eastside Scientific Panel concluded,

"The real forest health emergency lies in the extensive habitat loss, fragmentation, and degradation that inland forest and associated aquatic ecosystems have experienced after a century of intensive commercial extractive uses, including livestock grazing, logging, and mining" (Henjum et al. 1994).

Preying on the public's fear of catastrophic wildfire, proponents of increased salvage logging have promulgated the myth that the fire risk is uniformly severe. The evidence does not support this conclusion. For example, in California, in most areas the amount of dead and dying trees is at normal levels - what ecosystem scientists would term, "within the range of natural variability." Large areas of dead trees are confined to few areas, primarily on the east side of the northern Sierra Nevada and in the Lake Tahoe Basin.

Moreover, the management strategy promoted in Public Law 104-19, intensive salvage logging, will not achieve the supposed goal. One recent scientific study by found that,

"Scientific evidence is lacking to support the hypothesis that intensive salvage, thinning, and other logging activities reduce the risk of catastrophic fires if applied at landscape scales" (DellaSalla et al. 1995).

On most forests, especially on the west side of the Sierra Nevada and in the northwest, the forests appear healthy. The seven year drought ended two years ago, and few trees are dying. And, most of the dead and dying trees with commercial value have been logged. In fact, like others regions, Region 5 of the Forest Service has been pursuing salvage logging aggressively for many years. Salvage logging in California has accounted for one half to two thirds of the timber sales program for the past several years. Nationwide, the percentage of salvage logging has increased every year since 1987 reaching a level of 42% in 1993. Next fiscal year in California, the Forest Service is planning 333 mmbf of salvage logging, over 50% of the sales program. Interestingly, these elevated levels of salvage logging in prior years, which totaled 1.3 billion board feet in California in fiscal years 1990 and 1991, was conducted under existing environmental laws, i.e., prior to passage of the Emergency Timber Salvage bill of 1995.

The laws and regulations in place prior to the passage of the Emergency Timber Salvage bill already provided great flexibility for expedited salvage logging. The National Forest Management Act and the National Environmental Policy Act and their

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corresponding implementing regulations allow greater liberties to be taken following fire than in other aspects of land management. For example, salvage may be conducted on lands not otherwise eligible or suitable for logging; may exceed allowable sale quantities and maximum logging area rules; may be exempt from rules prohibiting clearcutting; and may be exempt from most forest plan standards and NFMA standards, e.g. soil protection and water quality standards. Furthermore, some salvage activities are exempt from NEPA review and administrative appeal.

On many occasions the Forest Service ~~has~~ expressed publicly its belief that no additional flexibility was needed to accomplish increased salvage logging and fuels treatment. For the record, I have attached to this testimony, a letter to Congressmember Herger from Region 5 Forester Lynn Sprague, who states, "We are able to work within the existing framework of laws to respond to the fuels issue" (letter from Lynn Sprague to Wally Herger, 7/22/94).

Having observed five of the national forests in California in the past three months, it is clear to me that there is not a mortality crisis. Many Forest Service personnel agree with this conclusion. This reality, coupled with the high proportion of salvage logging already planned for 1996, is reflected in the Forest Service's estimate of just 83 additional mmbf of salvage from the 19 national forests in Region 5 as a result of the Logging Without Laws rider. As some might say, "You can't get blood from a turnip."

APPEALS ARE NOT INTERFERING WITH SALVAGE SALES

One of the most onerous and undemocratic provisions of Public Law 104-19 is the restrictions it places on the public's opportunity to fully participate in the decision making process. For example, Public Law 104-19 eliminates completely the administrative appeals process, however, appeals are not interfering with salvage sales. In California, less than 25% of all appeals filed in the last four years have been timber sale appeals. Moreover, according to Forest Service data, of the 119 timber sale decisions in Region 5 last year, eight sales were appealed affecting a total of 35 mmbf. Nationally in FY 1994, 14% of the 2382 timber sales with signed decisions were appealed. From that group, 131 mmbf of timber remained held up due to stays or pending appeals. This year, the Forest Service reports that of the 13 sales that were appealed, only one remains unresolved, and that a negotiated settlement is likely (USFS Year End Reports, FY 1991-1994). The data is clear, administrative appeals are not holding up timber sales.

SALVAGE LOGGING IS BAD FOR THE AMERICAN TAXPAYERS

While expedited salvage logging may provide more of our public natural resources to private industry, it is a big money loser for the American taxpayer. Based on last year's

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average revenues and costs as reported by the Forest Service, The Wilderness Society estimates that if fully implemented, the salvage logging called for in the Emergency Timber Salvage bill would result in a net loss to the taxpayers of \$250 to \$580 million. However, prices are falling and many salvage sales are going unsold. Ironically, purchasers are balking at paying the price for cleaning up the debris after logging, the most flammable material. To be economical, these sales rely on what the agency terms "a biomass component" to accomplish the requisite fuels treatment work, which requires sale of unmerchantable wood in the biomass market as wood chips. Already tenuous, the biomass market has been rendered nonviable by the termination of subsidies for the biomass industry. As prices drop, the cost to the taxpayer of the salvage program will escalate and could rise to \$1.6 billion. Mandating timber salvage sales which are money losers as does Sec. (c)(6) of the rider, is fiscally irresponsible in these tight budget times and inconsistent with the platform of the majority in Congress.

The public has a right to know the real costs imposed by salvage logging on the environment and to the U.S. Treasury. Yet, when TWS sought information on the economic impacts of these sales, the Forest Service was unwilling to share that information requiring us to file a formal Freedom of Information Act request. If salvage logging can be justified on economic grounds, why is the agency less than forthright?

SALVAGE IS BAD FOR THE ENVIRONMENT

Salvage logging is a full-scale logging operation for removing "disease- or insect-infested trees, dead, damaged, or down trees, or trees affected by fire or imminently susceptible to fire or insect attack." (PL 104-19, §(a)(3)) It is an economic decision to recover timber before it is lost to decomposition. It is neither an effective means of restoring forest health nor of protecting the public from catastrophic wildfire. Salvage logging is about timber and money, not about fire prevention and forest health.

The environmental effects of salvage logging are no less damaging than those from other "green sale" logging operations. The negative impacts include road construction, soil erosion and compaction, degradation of water quality and fish and wildlife habitat, forest fragmentation and damage to healthy trees. In a report released earlier this year, Beschta, et al. report on the serious environmental impacts that fire salvage logging can create,

"Human intervention on the post-fire landscape may substantially or completely delay recovery, remove the elements of recovery or accentuate the damage. "There is little reason to believe that post-fire salvage logging has any positive ecological benefits, particularly for aquatic ecosystems. "There is considerable evidence that persistent, significant adverse environmental impacts are likely to result from salvage logging, based on many cases of salvage projects..." (Beschta et al. 1995).

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Rather than reducing the risk of catastrophic wildfire, salvage logging can actually increase the risk, especially in the short term. Too often the small or "fine" fuels are improperly treated and left on the site increasing the risk of wildfire after salvage logging. In the Salmon River drainage on the Klamath National Forest, near Redding, logging debris or "slash" is yet to be properly cleaned-up for more than 100 separate logging operations. In this same area, the intensity of wildfires in the 1987 fires was exacerbated by improperly treated logging slash following salvage logging after the 1977 fires. As a result of salvage logging and its companion roadbuilding, in part, the salmon in the Salmon River are severely imperiled.

In dry regions, the opening of forest canopies through so-called "fire-proofing" operations can dry out forest understories earlier in the fire season; and the disruption of soil and litter by heavy equipment can reduce soil moisture retention, also creating drier conditions during fire season (Harvey et al. 1994).

Based on his experience, Robert Harris, Forest Supervisor in the Lake Tahoe Basin, an area where the fire risk is abnormal, concluded that "... large salvage sale contracts are NOT a major part of addressing the [fire risk] ... needs." He continues citing the poor economics of salvage sales and concludes, "Where salvage sales reach break even, we see a sub-merchantable stand remaining that is over-stocked and unacceptable fuel loading." (Robert Harris, letter to Richard Wilson, December 5, 1994) Thus, the poor economics of salvage sales increases their negative environmental impacts and debunks the myth that the motivation for these sales is to improve forest health.

One recent example comes from the Wenatchee National Forest in Washington state where sales, if they sell at all, are going for the minimum bid. On this forest, as they are on most others, the Forest Service is trying desperately to attract bids. One tactic is to make removal of small wood optional as the Wenatchee did with the Pa Bear and Boundary Butte sales. Small-diameter logs are relatively unattractive because they are more susceptible to rot and cracking, and they are often only usable as chips. Given the recent downturn in the chip market and the termination of favorable contracts for electricity generation, the economic viability of small wood sales, or multi-product sales as they are sometimes called is further reduced. Moreover, taking only the larger logs eliminates one of the supposed environmental benefits of salvage logging – the removal of the wood that is most susceptible to fire. Removing just the large, commercially attractive logs also has undesirable impacts on soils, cavity-nesters, and other ecological functions provided by large woody debris.

Salvage logging and the roads associated with it lead to increased human access, leading to increased human activity with increased fire risk. One recent example is the 1994 Verdi fire near Lake Tahoe which was started by a chain saw operator cleaning up logging slash. Salvage logging can also damage important wildlife habitat and increase the intensity of wildfires. Recently, two Forest Service fire scientists found that, on the

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Shasta-Trinity National Forest, fire damage was greater in partially cut stands than in uncut stands, whether those cut stands had been treated to reduce fuels or not.

SALVAGE LOGGING IS OFTEN ABUSED

Proponents of salvage logging say that only trees that are dead or will soon die are logged. This is another specious argument. Green, healthy living trees are too often logged under the guise of salvage. Examples of this abuse abound. For example, green trees are standing today in Grider Creek on the Klamath National Forest and along the South Fork of the Trinity River because environmentalists were able to alert the court to violations of the law involving green trees improperly marked for salvage logging. In the proposed Grider Creek salvage, more than 70% of the trees marked for salvage are alive and healthy today. Pressure from the salvage rider on the Forest Service to get out the cut will only serve to increase abusive marking practices and the destruction of healthy ecosystems.

CALIFORNIA HAS A BETTER PLAN

For several years, Californians have been offering an alternative to increased salvage logging. In fact, this year, as they did last year, 23 members of the California delegation from both parties in the House of Representatives, including Mr. Herger, and both U.S. Senators, made a request for additional funding for fuels treatment projects in Region 5. TWS would like to thank Mr. Herger for his leadership on this initiative. This effort is a multi-interest, bi-partisan effort that has drawn the support of local partnership groups like the Quincy Library Group, representatives of the forest products industry, local elected officials, the California Resources Agency and Governor Wilson, and environmental groups. As a result of the unprecedented nature of this coalition, the Congress increased funding for fuels treatment projects throughout the west by \$3 million in FY 1994. Increased funding for fuels treatment projects is a recognized, agreed upon, strategy for reducing the risk of high intensity wildfire in California.

Many other collaborative planning efforts are underway in California that also address the fuels and fire risk issue. New information is emerging from the Sierra Nevada Ecosystem Project which reveals that the risk of fire is not equally distributed across the range, rather the risk of fire is correlated to the elevation of a particular site. This information will be critical in creating new policy for forest management in this part of the state.

Also very illustrative of the cooperation between state and federal agencies, and the concerned public, is the work of the California Fire Strategies Team. I have attached a copy of this group's report on strategies to reduce the risk of wildfire in

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California for the record. This plan recommends controlled burns and increased biomass removal as the preferred strategies for fuels reduction in California. Notably, increased salvage logging is not recommended.

For the past two years the new majority in Congress has repeatedly made the point that one solution, imposed from Washington, doesn't fit every situation. Yet, that quick fix, one-size-fits-all approach is what public law 104-19 has imposed. This logging-without-laws approach doesn't work, clearly not in California where the parties involved have agreed to another strategy. Regrettably, the passage of the salvage rider erodes the efforts underway in California that makes this state a model of collaborative resource management decision-making and conflict resolution.

A PROGRAM OF GENUINE FOREST HEALTH RESTORATION IS NEEDED

The Wilderness Society believes that the recent focus on salvage logging and forest health by the Congress and others represents the latest cynical effort by commodity interests to accelerate logging in the national forests -- this time, as in 1992, under the guise of an ecological crisis and the need for fire protection. The passage of Public Law 104-19 and resulting influence on the Forest Service to meet predetermined logging levels increase the likelihood of abuse and environmental destruction perpetrated under hastily performed salvage logging. Public Law 104-19 relaxes environmental safeguards and reduces public oversight and participation even further.

Despite the Administration's commitment to obey environmental laws, TWS remains concerned that an aggressive plan to "correct the mismanagement of the past" and "deal with the forest health crisis" through accelerated salvage logging will result in further degradation of native ecosystems and a continuation of business as usual on the national forests.

A long-term, thoughtful, scientifically-based program of genuine forest health restoration is needed. This strategy would involve several components, including:

1. Identify the highest quality examples of functioning ecosystems in every region, especially watersheds containing functioning old-growth forest communities, for permanent protection from logging. Presettlement fire regimes should be identified and maintained within these areas through the use of prescribed fire. These areas will serve as baseline examples against which to compare the results of active, restoration-oriented management elsewhere.
2. Identify a second echelon of slightly degraded forest stands which, through more active management (thinning and burning), can be restored relatively easily to

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high-quality, low-risk conditions. Restoration of natural ecosystem processes would be the goal.

3. In other areas, until such time as forest health is resotred, no traditional, commodity-focused green timber sales should take place. Rather, all sales should be legitimate forest health projects based on ecosystem principles in which forest structure, both within stands and across landscapes, would be restored to healthy conditions. Attention must be given to dead wood retention in forest stands and to the restoration of late successional forests on the landscape. These lands can eventually be brought back into alignment with natural dynamics through a long-term program of active ecological restoration. This will require long-term dedication of research and management efforts, but is absolutely essential to achieve the shared goal of ecosystem management. Extraction, either green or salvage, would be permitted only in this tier. All fuels on the site should be properly treated simultaneous with other management.

CONCLUSION

In summary, no forest health crisis exists that justifies the suspension of environmental laws and the elimination of the public's opportunity to participate in the decisions affecting their public lands. Past logging has played a major role in creating the current situation in our forests and it is foolish to think that a quick fix of accelerated salvage logging will correct the problems. Expedited timber salvage is fundamentally a commercial activity, not a strategy to reduce the risk of wildfire and alleviate a trumped-up forest health crisis. Like other special interest measures adopted in a crisis atmosphere, the Emergency Timber Salvage bill is bad public policy.

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(The attachments to statement were placed in the hearing record
files of the Committee.)

Comments on Timber Salvage and Forest Health

Presented to

U.S. House of Representatives
Committee on Resources
Task Force on Timber Salvage

Redding, California
October 21, 1995

Presented by

Richard A. Wilson
Director
California Department of Forestry and Fire Protection

Chairman Cooley, members of the Task Force, thank you for the opportunity to speak to you today. The issues of timber salvage, forest health, and fire protection are critical ones for the State of California and are high on my agenda as director of the Department of Forestry and Fire Protection (CDF). The timber salvage measure that was part of last August's recissions bill provides some important opportunities to address forest health and fire safety issues on the national forests in California. However, it is clear that to adequately address these issues at the level they merit, the Forest Service will need to devote significant additional resources to both timber salvage operations and natural fuels reduction.

Before I speak to the salvage and forest health issues specifically, I want to make two overarching points. the first of these points is that we are going to make at best halting progress in managing our national forests until we figure out what we want these lands managed for and what we want them to look like. We talk a lot about "ecosystem management," however this concept does not provide us with specific enough management guidance. Unless we completely prohibit all human intervention in the forests, even ecosystem management leaves us with a range of management choices that will lead to a number of different outcomes on the ground.

The second overarching point that I want to make to Congress and the head administrators of the Forest Service in Washington, D.C., is that California's national forests, for both biophysical and social reasons, are significantly different from those in the rest of the nation. Further,

there also is great diversity among the national forests within the state. Given these differences, the Region 5 Forester must be given the resources and administrative discretion necessary to run the forests in the region in a manner that reflects their diversity and responds to their most critical and immediate fire protection problems.

Now, turning more directly to the matter of salvage and forest health, the first point I want to make is that salvage sales should be targeted to where they will have the greatest benefits in reducing fire hazards and improving forest health. There are at least two clear priority areas to target salvage sales. The first target area should be interface zones, where the values at risk to fire--human lives and structures--are the highest. The second target area should be reducing the risk that fuels pose for critical habitat for the California spotted owl. Scientists have identified fire risk as one of the greatest threats to the California owl.

Salvage harvests must be prepared as quickly as possible while maintaining an appropriate level of environmental protection. The March 8, 1995 Memorandum of Understanding adopted by the Departments of Agriculture, Interior, and Commerce, and the Environmental Protection Agency does little to speed up the preparation of salvage sales. The President's Memorandum of Agreement issued on August 1, 1995 is little more than a reiteration of the March 8 document and adds additional protocols which, if strictly applied, will significantly delay the preparation of salvage sales. Furthermore, in either case the environmental safeguards required are both duplicative and excessive for salvage sales. I find both the March and August agreements completely inadequate to address the crisis situation at hand.

One widely held concern about the salvage sale program is an economic one: What will be the response of the biomass and forest products markets to these sales? What levels and kinds of higher value materials, particularly green trees, will the Forest Service have to include in them to make them attractive to buyers? The strength of markets for salvage sale materials varies throughout the state and will also vary over time. However, the Forest Service must factor green tree removal into salvage sales to make sure that thinning and forest health objectives are compatible with both environmental and economic purposes.

It is important to point out that salvage sales alone are not going to solve the fuels management problems on the

national forests. Over the past several years, mortality on California's forest lands due to drought and related environmental stresses has been in the range of 3 billion board feet per year. The baseline mortality rate for the state, in comparison, is less than a third of this. In order to hold annual mortality to an appropriate level, vigorous proactive measures, such as thinning, the treatment of natural fuels, and prescribed burning, are imperative. Forest Service budgetary and personnel resources must be allocated to ensure that such projects receive priority attention.

The Forest Service should continue to explore new ways of working with the private sector to leverage resources to accomplish forest management goals, including fuels treatments. Stewardship contracts provide a creative approach to getting the fuels management job done along with other needed forest management treatments, such as watershed rehabilitation. The flow of products from the stewardship areas can pay the way for most if not all of the contract activities. Under stewardship contracts, a private contractor takes responsibility for most or all facets of forest management on a specific portion of a national forest. Under the supervision of a Forest Service contract officer, the contractor provides an agreed-upon suite of management services. In many cases, stewardship contracts can generate positive revenue flows for the agency, as well for the U.S. Treasury and local governments.

The magnitude of the fire hazard and forest health problem is also significant on the lands for which the Department of Forestry has lead fire protection responsibility. Over the past five years, the department's vegetation management program has treated an average of 35,000 acres per year through prescribed burning and mechanical fuels reduction. As a part of our fire planning efforts, we recently went through an exercise with our ranger units and identified needed fuel treatment projects on state responsibility area lands. The ranger units indicated that there are about 260 thousand acres per year. These projects would yield 17.4 million tons of biomass, or about 3.5 million tons per year. The total cost of these projects would be \$152 million, or \$30 million per year.

There is a great need and ample opportunity for the Department of Forestry and Fire Protection and the Forest Service to cooperate in fire planning and fuels management projects. After a hiatus due to legal problems, CDF and the Forest Service have reinitiated our cooperation in prescribed fire. The Northfork project, a fuel break and

prescribed burn project, recently helped to limit the size of a wildfire, significantly reducing the cost of suppression. Other joint prescribed fire projects are in the works.

To conclude, let me reiterate that our progress in the management of our national forests will depend on our ability to make meaningful, broad-based decisions as to the economic, ecological, social, and public safety values for which we are going to manage these lands. Congress, the Forest Service, and the Department of Agriculture need to recognize that California's diverse and distinct national forests require that the regional forester be given adequate resources and discretion to manage these unique forests.

Salvage on the national forests should be conducted first where it will make an immediate contribution to forest health and fuels problems. Salvage sales should be targeted to where they will have the greatest net benefits for the public. Salvage sales must be designed to make them profitable and attractive to buyers. In all cases, salvage sales must be prepared as quickly as possible with an appropriate level of environmental protection. The President's August 1 Memorandum of Agreement will not achieve either of these objectives and will, in fact, further exacerbate and already intolerable situation.

It is critical for everyone to realize that salvage sales alone, albeit an important first step, will not address all of our forest health and fuels problems. Only with the leveraging of more resources, through such things as salvage sales with significant green tree components and the effective use of private sector stewardship contracts, can the Forest Service make the accomplishments it needs in these areas.

Of course, the state has a major role to play in forest health and fuels management. Through our current fire planning efforts, we are significantly increasing our focus on these issues and working to bring forth the resources needed to address them. Clearly, there is a need for a significant level of cooperation between the state and the Forest Service to achieve the highest feasible level of wildland fire protection in California. We are committed to working closely with the Forest Service to this end.

Thank you for the opportunity to address the Task Force. I would be happy to answer any questions you may have.

STATEMENT OF
G. LYNN SPRAGUE, REGIONAL FORESTER
PACIFIC SOUTHWEST REGION, FOREST SERVICE
UNITED STATES DEPARTMENT OF AGRICULTURE

Before the
Committee on Resources
United States House of Representatives

Concerning Agency Performance in
Processing Timber Salvage Using Section 2001 of Public Law 104-19
Emergency Appropriations and Funding Rescissions Act

Redding, California
October 21, 1995

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

Thank you for the opportunity to discuss how the Forest Service, in cooperation with other agencies, is implementing the timber-related activities authorized in Public Law 104-19. I am accompanied by Jim Lawrence, Deputy Regional Forester; Mark Madrid, Forest Supervisor, Plumas National Forest; Jim Boynton, Forest Supervisor, Sierra National Forest; Jeff Withroe, Acting Forest Supervisor, Lassen National Forest; Jim Anderson, Forest Planner, Klamath National Forest and Sue Husari, Regional Fuels Specialist. The President has directed the Departments of Agriculture, Commerce, Interior, and the Environmental Protection Agency (EPA) to implement this law in a way that, to the maximum extent allowed, follows our current environmental laws and programs. I am submitting for the record the directive from the President regarding the implementation of the timber-related provisions to Public Law 104-19.

Results from Initial Implementation of PL 104-19

Due to our efforts to implement the salvage provisions of the Rescission Act, the Forest Service anticipates exceeding its pre-rescission 1995 programmed level of timber salvage offer by 200 million board feet (MMBF). Offering 1.7 MMBF, instead of 1.5 MMBF in 1995 places the Forest Service on track to meet the Rescission Act goal of 4.5 billion board feet by the end of 1996. The President stated that his Administration will carry out the program with its full resources and strong commitment to achieving the goals of the program; and the Forest Service is doing exactly that.

We have seen some reduction, nationally, in demand for timber salvage. In some locations sales offered have received no bids. In such cases, sales are usually reworked to increase their marketability. We did this recently on the Modoc National Forest where previously unbid sales were reworked and sold. We want to work with industry, and have asked for its input on ways to make salvage sales more marketable. We hope to continue these discussions at the local and regional levels.

We are also involving the public early in the planning process so that they have an opportunity to provide input and become involved in monitoring our performance. Our goal is to maintain and promote good working relationships with the public and tribal, and state and local government entities.

Background

The Administration was moving aggressively on timber salvage before enactment of Public Law 104-19. In direct response to the concerns emanating from the wildfires of the 1994 season, regions were already pursuing timber salvage as a part of the restoration effort for the areas affected by the fires.

In February of 1995, the President directed Chief Thomas to convene an interagency team to develop, identify, and resolve possible impediments to the timely release of timber salvage sales. Participants included Bureau of Land Management (BLM) Director Mike Dombeck, National Marine Fisheries Service (NMFS) Assistant Administrator Rolland Schmitt, and representatives of the US Fish and Wildlife Service (FWS) and EPA. As a result of that meeting, a national level Memorandum of Understanding (MOU) was signed March 8, 1995. This MOU established a streamlined process to complete the consultation requirements of the Endangered Species Act (ESA) within the time frames for salvage and forest health project planning under the National Environmental Policy Act (NEPA) for the Intermountain, Pacific Northwest and Northern Regions of the Forest Service. May 31, 1995, I signed a similar regional level interagency MOU to guide this process on National Forests in California. As a result of this MOU, the agencies have been working together in multi-level

interagency teams from the beginning of the analysis process. This has reduced the number of timber sales requiring formal consultations and shortened the time frames for completing such consultations when they have been needed. As a result, there is no backlog of sales in consultation.

Within the Forest Service, prior to passage of PL 104-19, a national strategy was developed that incorporated special teams organized to quickly move forward on timber salvage activities at both the Washington Office and Regional Office levels. When PL 104-19 was passed and the implementing MOA was signed, the teams reviewed the new direction, and distributed procedures. They continue to assist in its implementation.

Implementing Public Law 104-19

We are moving forward very quickly to implement the timber-related provisions of this Act as directed by the President and Secretary Glickman. As part of this direction, President Clinton directed the Departments of Agriculture, Commerce and Interior and the EPA to implement this law, to the maximum extent possible, consistent with environmental laws.

Subsection (c) (1) (A) of PL 104-19 gives the Secretary the authority to ensure that salvage sales are consistent with standards and guidelines of the applicable National Forest or BLM

District management plan. The Administration established a system for ensuring that salvage sales comply fully with standards and guidelines, while expediting the offer of the sales. On August 9, 1995 the Forest Service, BLM, FWS, NMFS, and EPA signed a Memorandum of Agreement (MOA), which explicitly outlines the new streamlining procedures, coordination and collaborative efforts that are now being followed to implement PL 104-19. I am submitting the MOA to you as part of the record.

The MOA is important for a number of reasons. It builds upon on-going efforts to streamline procedures for environmental analysis and interagency consultation which had been underway since signing of interagency agreements on March 8, 1995 and May 31, 1995. The MOA is also consistent with the Rescission Act's overall goal of streamlining processes and paperwork. Moreover, the agreement reaffirms the joint responsibility of the agencies to do their part in achieving salvage sale volume above the programmed level, in accordance with Public Law 104-19.

We believe that the most important aspect of following standards and guidelines of forest plans, through the MOA, is to avoid a future shutdown of timber harvest, or other activities, similar to that which occurred in the Pacific Northwest. Even though the Rescission Act's intent is to protect the land management agencies from lawsuits related to salvage sales, arguably, some of these legal protections expire December 31, 1996.

Now I would like to talk about how the Forest Service, particularly Region 5, is implementing the timber salvage provisions of Public Law 104-19 and the actions we have taken thus far.

Region 5 has been impacted by large fires and insect epidemics in recent years. Timber salvage harvesting has been utilized as one of the management tools to deal with these situations. Expedited procedures have been instituted to accomplish timber salvage work in a timely manner. For example, the Lassen National Forest has offered 273 million board feet of timber salvage from 1992 to 1995. Under normal conditions, the Lassen would have offered about 5-10 million board feet per year.

Aerial surveys for 1995 show that rates of mortality have declined compared to previous years. Forests like the Stanislaus that have little 1995 mortality, are using the authorities contained in PL 104-19 to salvage previous year mortality.

We have increased our emphasis on vegetation and fuel management in urban interface areas where forest health problems can affect human safety and property. The Lake Tahoe Basin Management Unit (LTBMU) has several projects under way to salvage timber, reduce fuel loading and improve forest health. Our focus has been on managing a 6,600 acre area on the east shore of Lake Tahoe. In addition, two south shore projects are currently underway: Tahoe Mountain (1,100 acres) and Angora Highlands subdivision (330-foot

wide shaded fuelbreak around the perimeter of the subdivision). Salvage work has recently been completed on 800 acres of National Forest System lands in the Camp Shelley/Spring Creek summer home area and crews are actively working on hazard tree reduction on small parcels of National Forest interspersed among private lots in urban areas around Lake Tahoe.

The Region has also implemented a salvage sale on the Mendocino National Forest that is located within a Late Successional Reserve (LSR). Following a 2,800-acre fire in August 1994, the Forest Service and FWS coordinated early in the planning and assessment process. As a result, this reduced the time frame to complete the LSR assessment, environmental documentation, and consultation. Two salvage sales have been offered and sold in the LSR assessment area -- a fire-related one for 660,000 board feet, and a non-fire-related one for 194,000 board feet. Harvest is already underway on the smaller sale. The interagency coordination early in the process on the Mendocino National Forest is the same concept that we are applying on a broader scale, through implementation of the Interagency MOA, to prepare and offer salvage sales in a timely manner under Public Law 104-19.

The Pacific Southwest Region chartered an interdisciplinary team earlier this year to develop a process for expediting timber salvage in response to the Administration's MOU on streamlined consultation. When PL 104-19 was passed and the implementing MOA was signed, the team was able to quickly review the new direction,

distribute it to the Forests, and they continue to assist in its implementation.

The Region is working with computerized mapping systems (Geographic Information Systems, GIS) to graphically display and track timber salvage sales programs and their location in relation to environmentally sensitive areas. Providing this type of information to EPA, FWS, and NMFS has streamlined communications, review, and analysis. Our streamlined consultation and analysis procedures have allowed us to move forward with projects in a timely manner.

A monitoring system is in place which tracks accomplishments in preparing and selling timber salvage as well as the effects of these sales on environmental quality.

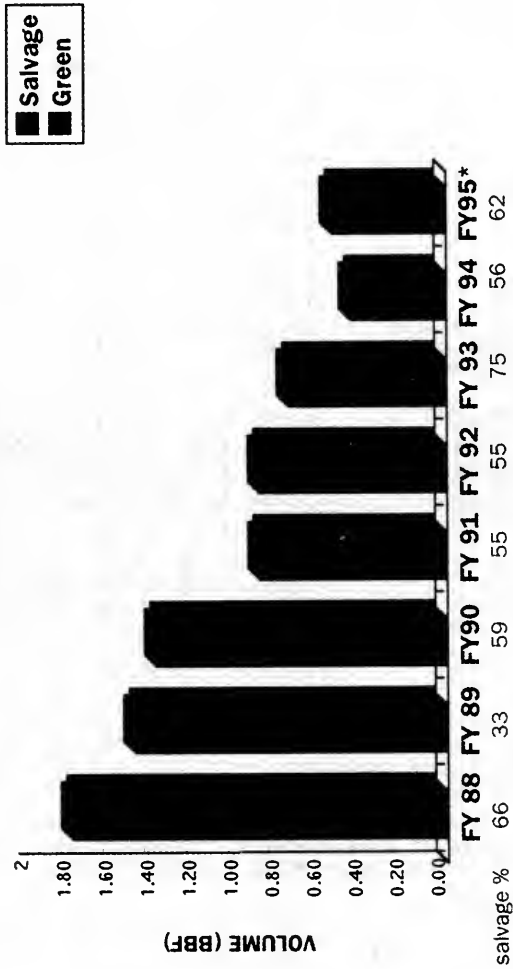
PL 104-19 provides relief from law and regulation regarding procedural requirements for personnel hiring and contracting. I have been directed by the Chief to pursue this authority to supplement the current work force, on a temporary basis where it is needed, in order to increase the agency's capacity to prepare salvage timber sales.

This completes my testimony. I would be happy to answer any questions you may have.

Salvage/Green Sales

FY 1988 through FY 1995

(billion board feet)



THE WHITE HOUSE
WASHINGTON

Chicago

June 29, 1995

The Honorable Newt Gingrich
Speaker of the
House of Representatives
Washington, D.C. 20515

Dear Mr. Speaker:

I am pleased to be able to address myself to the question of the Emergency Salvage Timber Sale Program in H.R. 1911. I want to make it clear that my Administration will carry out this program with its full resources and a strong commitment to achieving the goals of the program.

I do appreciate the changes that the Congress has made to provide the Administration with the flexibility and authority to carry this program out in a manner that conforms to our existing environmental laws and standards. These changes are also important to preserve our ability to implement the current forest plans and their standards and to protect other natural resources.

The agencies responsible for this program will, under my direction, carry the program out to achieve the timber sales volume goals in the legislation to the fullest possible extent. The financial resources to do that are already available through the timber salvage sale fund.

I would hope that by working together we could achieve a full array of forest health, timber salvage and environmental objectives appropriate for such a program.

Sincerely,

Bill Clinton

RECEIVED AUG 14 1995

THE WHITE HOUSE
WASHINGTON

August 11, 1995

Mr. Barney Elking
Manager
Northern California Log Scaling
& Grading Bureau
Post Office Box 1088
Arcata, California 95521

Dear Barney:

Thank you for sharing your concerns about the salvage logging provision of the fiscal 1995 rescissions bill. I appreciate knowing your thoughts on this issue.

As you know, I signed the rescission bill because it helps to reduce the deficit further while maintaining responsible investments in children, education, national service, and job training. However, I opposed the salvage logging provision, as it threatens to impair, rather than promote, sustainable economic activity. The House and Senate were unwilling to abandon the salvage timber rider, but Congress did accept important changes that will preserve my Administration's ability to adhere to the standards and guidelines in our current forest plans. The changes give the agencies the discretion, which we will exercise fully, to protect our nation's natural resources.

Now that the rider has become law, I have directed the Secretary of Agriculture, the Secretary of the Interior, and the heads of other federal agencies to carry out timber salvage activities consistent with the spirit and intent of all existing environmental laws. Be assured that we will not violate our environmental standards — they are too important to protecting our quality of life and our economy.

As we continue working to meet the many environmental and economic challenges that our nation faces, I welcome your involvement.

Sincerely,



Rev. Archie Page
56442 Rd. 200, P.O. Box 193
North Fork, Ca. 93643
Oct. 19, 1995

Congressman Wes Cooley
U.S. House of Representatives
1324 Longworth House Office Bldg.
Washington, D. C. 20515

Dear Congressman;

I am writing in regards to the hearings and future action of the task force on timber salvage and forest health. I realize the hearing is to be held Oct. 21st in Redding, Ca.

I am a clergyman serving Grace Community United Church of Christ in North Fork. I am deeply concerned about the needs of this community and in particular the logging industry.

I am constantly teaching our people and others about the moral duty to be good stewards of the land and all that is in it. That stewardship must also include the idea of not being wasteful both in natural resources and human resources. At the present time I am concerned that we are allowing trees and animals to be the ruler of all others things. For the forest to be healthy it must be cleared to prevent forest fires. Therefore, I believe that the U.S. Forest Service is not being good stewards of the forest.

But one more important point. We have allowed the forest to strip away the dignity of human beings. We had a sawmill in North Fork until 2 years ago. At the time of the closure of the mill it employed approximately 60 people. Now there is no industry in North Fork. When a person cannot work and support him/her self and family then that person is relegated to lower than animal. It is good to conserve the forest for future generations, but something must be done to cause an equal playing field.

It is my hope and dreams that you and your colleagues will arrive at a just and equitable decision and allow the forest service to sell more timber. That way the people of North Fork will once again regain their dignity. If nothing is done this community is quickly headed toward a ghost town.

Thank you for your time. I am

Respectfully,



Archie Page

Testimony to Timber Task Force RE: November 4 hearing in Medford, Oregon:

My name is Melba Dlugonski at 6735 SE 78th, Portland, Oregon. I am an amateur botanist, member of groups specializing in native flora, and frequenter of a variety of landscapes, especially Old Growth forests. I spend time in Old Growth forests because these are the only remaining places on the continent where thousands-of-years-old plant relationships can be observed and studied.

The biota in heavy forests require shade; removal of the trees fatally exposes the understory to the sun. In the open spaces (even those euphemistically called partial-cuts), Eurasian weeds are the most common replacement species. By the time trees are reintroduced and eventually produce a shade environment, none of the original native plants, seeds, or stolons remain; the spongy quality of the soil is gone; the pH may be different; the micronutrients and micro organisms are destroyed! Even if we could afford to propagate and reintroduce the many species, most of them would be doomed to fail. In other words, it is impossible to recreate an ecosystem.

Modern logged areas look like bombed sites: the soil has been ground and compacted by heavy equipment, then washed downhill. A few years later, the area fosters with blackberry and Scotch broom.

Salvage logging operations should not be allowed in any of the remaining Old Growth sites. Fallen and "diseased" trees are a part of nature's healthy forest, are the means of holding and slowly releasing nutrients back into the soil, and are the habitat and food supply for some of the fauna (also original in this environment and necessary to the complex cycles in these systems). Note to "diseased": any professional arborist can tell you that if we were to cut down every diseased tree, there would not be a single tree left. Trees are remarkable in their many abilities to wall off and live with infectious organisms. These forests sustained themselves for the thousands of years that it took to create this unique environment; fortunately, they did not need human intervention to keep them "healthy".

If we could turn back the clock and save more of the original forest, our lands, waters, and peoples would be healthier. Yet the fact that 95% of this natural wonder is forever gone has not impressed the BLM spokes-person I heard this evening asking for 20% of the remaining 5%. I grieve the losses of the past. And I am angry that the people making the decisions to destroy the nation's treasures are those in whose financial interest it is to destroy them.

To continue this "salvage" raid is to benefit a few people for a few years at the most; to preserve the integrity of virgin forests is to bless everyone for all time.

Thank you.

Melba J. Dlugonski



THE WILDERNESS SOCIETY

CALIFORNIA/NEVADA REGIONAL OFFICE

October 30, 1995

Wes Cooley, Chairman
Timber Salvage Task Force
U.S. House of Representative
Committee on Resources
Washington, D.C. 20515

Dear Representative Cooley:

Thank you for inviting me to participate in your hearing in Redding, California on October 21. I am writing to follow up on three issues we discussed.

Enclosed is a copy of our annual financial statement. This statement is published in our annual report and is available to our members. I have also enclosed a membership brochure to facilitate your access to this statement in the future. If you would like more detailed information, please contact Mr. James Webb, our General Counsel, at 202-833-2300.

I request that the following be included in the record of your Task Force.

Contrary to your statements in Redding, section 2001(e) of public law 104-19 does, in fact, eliminate the opportunity of Americans to file administrative appeals on salvage timber sales (and green sales offered in the Option 9 area of northern California) which are covered under public law 104-19. Specifically, section 2001(e) in its entirety states, "(e) Administrative Review. -- Salvage timber sales conducted under subsection (b), timber sales conducted under subsection (d), and any decision of the Secretary concerned in connection with such sales, shall not be subject to administrative review."

Contrary to some of the misinformation being promulgated, timber sale appeals are not delaying timber sales in California. As I agreed in Redding, I am enclosing a table on administrative appeals for FY 1994 from the Forest Service's Year-End report about timber sale appeals. As I testified, and as you can see

116 NEW MONTGOMERY, SUITE 526, SAN FRANCISCO, CA 94105

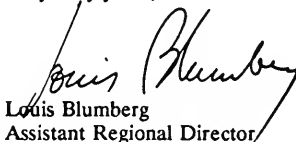
(415) 541-9144

Wes Cooley, Chairman
October 30, 1995
Page 2

from the highlighted sections of the table, in FY 1994, there were 119 timber sales with signed decisions in Region 5. Of those, 8 were appealed affecting a total of 35 mmbf.

Thank you again for the opportunity to submit testimony on the salvage logging rider in public law 104-19. The Wilderness Society remains concerned that this rider will have serious negative to our public lands and the U.S. Treasury.

Very truly yours,



Louis Blumberg
Assistant Regional Director

cc: James Webb
The Honorable George Miller

TITLE II—GENERAL PROVISIONS

EMERGENCY SALVAGE TIMBER SALE PROGRAM

16 USC 1611
note.

SEC. 2001. (a) DEFINITIONS.—For purposes of this section:

(1) The term "appropriate committees of Congress" means the Committee on Resources, the Committee on Agriculture, and the Committee on Appropriations of the House of Representatives and the Committee on Energy and Natural Resources, the Committee on Agriculture, Nutrition, and Forestry, and the Committee on Appropriations of the Senate.

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(2) The term "emergency period" means the period beginning on the date of the enactment of this section and ending on September 30, 1997.

(3) The term "salvage timber sale" means a timber sale for which an important reason for entry includes the removal of disease- or insect-infested trees, dead, damaged, or down trees, or trees affected by fire or imminently susceptible to fire or insect attack. Such term also includes the removal of associated trees or trees lacking the characteristics of a healthy and viable ecosystem for the purpose of ecosystem improvement or rehabilitation, except that any such sale must include an identifiable salvage component of trees described in the first sentence.

(4) The term "Secretary concerned" means—

(A) the Secretary of Agriculture, with respect to lands within the National Forest System; and

(B) the Secretary of the Interior, with respect to Federal lands under the jurisdiction of the Bureau of Land Management.

(b) COMPLETION OF SALVAGE TIMBER SALES.—

(1) SALVAGE TIMBER SALES.—Using the expedited procedures provided in subsection (c), the Secretary concerned shall prepare, advertise, offer, and award contracts during the emergency period for salvage timber sales from Federal lands described in subsection (a)(4). During the emergency period, the Secretary concerned is to achieve, to the maximum extent feasible, a salvage timber sale volume level above the programmed level to reduce the backlogged volume of salvage timber. The preparation, advertisement, offering, and awarding of such contracts shall be performed utilizing subsection (c) and notwithstanding any other provision of law, including a law under the authority of which any judicial order may be outstanding on or after the date of the enactment of this Act.

Contracts.

(2) USE OF SALVAGE SALE FUNDS.—To conduct salvage timber sales under this subsection, the Secretary concerned may use salvage sale funds otherwise available to the Secretary concerned.

(3) SALES IN PREPARATION.—Any salvage timber sale in preparation on the date of the enactment of this Act shall be subject to the provisions of this section.

(c) EXPEDITED PROCEDURES FOR EMERGENCY SALVAGE TIMBER SALES.—

(1) SALE DOCUMENTATION.—

(A) PREPARATION.—For each salvage timber sale conducted under subsection (b), the Secretary concerned shall prepare a document that combines an environmental assessment under section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)) (including regulations implementing such section) and a biological evaluation under section 7(a)(2) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)(2)) and other applicable Federal law and implementing regulations. A document embodying decisions relating to salvage timber sales proposed under authority of this section shall, at the sole discretion of the Secretary concerned and to the extent the Secretary concerned considers appropriate and feasible, consider the environmental effects of the salvage timber

sale and the effect, if any, on threatened or endangered species, and to the extent the Secretary concerned, at his sole discretion, considers appropriate and feasible, be consistent with any standards and guidelines from the management plans applicable to the National Forest or Bureau of Land Management District on which the salvage timber sale occurs.

(B) **USE OF EXISTING MATERIALS.**—In lieu of preparing a new document under this paragraph, the Secretary concerned may use a document prepared pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) before the date of the enactment of this Act, a biological evaluation written before such date, or information collected for such a document or evaluation if the document, evaluation, or information applies to the Federal lands covered by the proposed sale.

(C) **SCOPE AND CONTENT.**—The scope and content of the documentation and information prepared, considered, and relied on under this paragraph is at the sole discretion of the Secretary concerned.

(2) **REPORTING REQUIREMENTS.**—Not later than August 30, 1995, the Secretary concerned shall submit a report to the appropriate committees of Congress on the implementation of this section. The report shall be updated and resubmitted to the appropriate committees of Congress every six months thereafter until the completion of all salvage timber sales conducted under subsection (b). Each report shall contain the following:

(A) The volume of salvage timber sales sold and harvested, as of the date of the report, for each National Forest and each district of the Bureau of Land Management.

(R) The available salvage volume contained in each National Forest and each district of the Bureau of Land Management.

(C) A plan and schedule for an enhanced salvage timber sale program for fiscal years 1995, 1996, and 1997 using the authority provided by this section for salvage timber sales.

(D) A description of any needed resources and personnel, including personnel reassignments, required to conduct an enhanced salvage timber sale program through fiscal year 1997.

(E) A statement of the intentions of the Secretary concerned with respect to the salvage timber sale volume levels specified in the joint explanatory statement of managers accompanying the conference report on H.R. 1158, House Report 104-124.

(3) **ADVANCEMENT OF SALES AUTHORIZED.**—The Secretary concerned may begin salvage timber sales under subsection (b) intended for a subsequent fiscal year before the start of such fiscal year if the Secretary concerned determines that performance of such salvage timber sales will not interfere with salvage timber sales intended for a preceding fiscal year.

(4) **DECISIONS.**—The Secretary concerned shall design and select the specific salvage timber sales to be offered under subsection (b) on the basis of the analysis contained in the document or documents prepared pursuant to paragraph (1)

July 27

EMERGENCY SUPPLEMENTAL APPROP.

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to achieve, to the maximum extent feasible, a salvage timber sale volume level above the program level.

(5) SALE PREPARATION.—

(A) USE OF AVAILABLE AUTHORITIES.—The Secretary concerned shall make use of all available authority, including the employment of private contractors and the use of expedited fire contracting procedures, to prepare and advertise salvage timber sales under subsection (b).

(B) EXEMPTIONS.—The preparation, solicitation, and award of salvage timber sales under subsection (b) shall be exempt from—

(i) the requirements of the Competition in Contracting Act (41 U.S.C. 253 et seq.) and the implementing regulations in the Federal Acquisition Regulation issued pursuant to section 25(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 421(c)) and any departmental acquisition regulations; and

(ii) the notice and publication requirements in section 18 of such Act (41 U.S.C. 416) and 8(e) of the Small Business Act (15 U.S.C. 637(e)) and the implementing regulations in the Federal Acquisition Regulations and any departmental acquisition regulations.

(C) INCENTIVE PAYMENT RECIPIENTS; REPORT.—The provisions of section 3(d)(1) of the Federal Workforce Restructuring Act of 1994 (Public Law 103-226; 5 U.S.C. 5597 note) shall not apply to any former employee of the Secretary concerned who received a voluntary separation incentive payment authorized by such Act and accepted employment pursuant to this paragraph. The Director of the Office of Personnel Management and the Secretary concerned shall provide a summary report to the appropriate committees of Congress, the Committee on Government Reform and Oversight of the House of Representatives, and the Committee on Governmental Affairs of the Senate regarding the number of incentive payment recipients who were rehired, their terms of reemployment, their job classifications, and an explanation, in the judgment of the agencies involved of how such reemployment without repayment of the incentive payments received is consistent with the original waiver provisions of such Act. This report shall not be conducted in a manner that would delay the rehiring of any former employees under this paragraph, or affect the normal confidentiality of Federal employees.

(6) COST CONSIDERATIONS.—Salvage timber sales undertaken pursuant to this section shall not be precluded because the costs of such activities are likely to exceed the revenues derived from such activities.

(7) EFFECT OF SALVAGE SALES.—The Secretary concerned shall not substitute salvage timber sales conducted under subsection (b) for planned non-salvage timber sales.

(8) REFORESTATION OF SALVAGE TIMBER SALE PARCELS.—The Secretary concerned shall plan and implement reforestation of each parcel of land harvested under a salvage timber sale conducted under subsection (b) as expeditiously as possible after completion of the harvest on the parcel, but in no case

later than any applicable restocking period required by law or regulation.

(9) **EFFECT ON JUDICIAL DECISIONS.**—The Secretary concerned may conduct salvage timber sales under subsection (b) notwithstanding any decision, restraining order, or injunction issued by a United States court before the date of the enactment of this section.

(d) **DIRECTION TO COMPLETE TIMBER SALES ON LANDS COVERED BY OPTION 9.**—Notwithstanding any other law (including a law under the authority of which any judicial order may be outstanding on or after the date of enactment of this Act), the Secretary concerned shall expeditiously prepare, offer, and award timber sale contracts on Federal lands described in the "Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl", signed by the Secretary of the Interior and the Secretary of Agriculture on April 13, 1994. The Secretary concerned may conduct timber sales under this subsection notwithstanding any decision, restraining order, or injunction issued by a United States court before the date of the enactment of this section. The issuance of any regulation pursuant to section 4(d) of the Endangered Species Act of 1973 (16 U.S.C. 1533(d)) to ease or reduce restrictions on non-Federal lands within the range of the northern spotted owl shall be deemed to satisfy the requirements of section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)), given the analysis included in the Final Supplemental Impact Statement on the Management of the Habitat for Late Successional and Old Growth Forest Related Species Within the Range of the Northern Spotted Owl, prepared by the Secretary of Agriculture and the Secretary of the Interior in 1994, which is, or may be, incorporated by reference in the administrative record of any such regulation. The issuance of any such regulation pursuant to section 4(d) of the Endangered Species Act of 1973 (16 U.S.C. 1533(d)) shall not require the preparation of an environmental impact statement under section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)).

(e) **ADMINISTRATIVE REVIEW.**—Salvage timber sales conducted under subsection (b), timber sales conducted under subsection (d), and any decision of the Secretary concerned in connection with such sales, shall not be subject to administrative review.

(f) **JUDICIAL REVIEW.**—

(1) **PLACE AND TIME OF FILING.**—A salvage timber sale to be conducted under subsection (b), and a timber sale to be conducted under subsection (d), shall be subject to judicial review only in the United States district court for the district in which the affected Federal lands are located. Any challenge to such sale must be filed in such district court within 15 days after the date of initial advertisement of the challenged sale. The Secretary concerned may not agree to, and a court may not grant, a waiver of the requirements of this paragraph.

(2) **EFFECT OF FILING ON AGENCY ACTION.**—For 45 days after the date of the filing of a challenge to a salvage timber sale to be conducted under subsection (b) or a timber sale to be conducted under subsection (d), the Secretary concerned shall take no action to award the challenged sale.

(3) **PROHIBITION ON RESTRAINING ORDERS, PRELIMINARY INJUNCTIONS, AND RELIEF PENDING REVIEW.**—No restraining

order, preliminary injunction, or injunction pending appeal shall be issued by any court of the United States with respect to any decision to prepare, advertise, offer, award, or operate a salvage timber sale pursuant to subsection (b) or any decision to prepare, advertise, offer, award, or operate a timber sale pursuant to subsection (d). Section 705 of title 5, United States Code, shall not apply to any challenge to such a sale.

(4) **STANDARD OF REVIEW.**—The courts shall have authority to enjoin permanently, order modification of, or void an individual salvage timber sale if it is determined by a review of the record that the decision to prepare, advertise, offer, award, or operate such sale was arbitrary and capricious or otherwise not in accordance with applicable law (other than those laws specified in subsection (i)).

(5) **TIME FOR DECISION.**—Civil actions filed under this subsection shall be assigned for hearing at the earliest possible date. The court shall render its final decision relative to any challenge within 45 days from the date such challenge is brought, unless the court determines that a longer period of time is required to satisfy the requirement of the United States Constitution. In order to reach a decision within 45 days, the district court may assign all or part of any such case or cases to one or more Special Masters, for prompt review and recommendations to the court.

(6) **PROCEDURES.**—Notwithstanding any other provision of law, the court may set rules governing the procedures of any proceeding brought under this subsection which set page limits on briefs and time limits on filing briefs and motions and other actions which are shorter than the limits specified in the Federal rules of civil or appellate procedure.

(7) **APPEAL.**—Any appeal from the final decision of a district court in an action brought pursuant to this subsection shall be filed not later than 30 days after the date of decision.

(g) **EXCLUSION OF CERTAIN FEDERAL LANDS.**—

(1) **EXCLUSION.**—The Secretary concerned may not select, authorize, or undertake any salvage timber sale under subsection (b) with respect to lands described in paragraph (2).

(2) **DESCRIPTION OF EXCLUDED LANDS.**—The lands referred to in paragraph (1) are as follows:

(A) Any area on Federal lands included in the National Wilderness Preservation System.

(B) Any roadless area on Federal lands designated by Congress for wilderness study in Colorado or Montana.

(C) Any roadless area on Federal lands recommended by the Forest Service or Bureau of Land Management for wilderness designation in its most recent land management plan in effect as of the date of the enactment of this Act.

(D) Any area on Federal lands on which timber harvesting for any purpose is prohibited by statute.

(h) **RULEMAKING.**—The Secretary concerned is not required to issue formal rules under section 553 of title 5, United States Code, to implement this section or carry out the authorities provided by this section.

(i) **EFFECT ON OTHER LAWS.**—The documents and procedures required by this section for the preparation, advertisement, offering, awarding, and operation of any salvage timber sale subject to sub-

section (b) and any timber sale under subsection (d) shall be deemed to satisfy the requirements of the following applicable Federal laws (and regulations implementing such laws):

(1) The Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.).

(2) The Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

(3) The National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(4) The Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(5) The National Forest Management Act of 1976 (16 U.S.C. 472a et seq.).

(6) The Multiple-Use Sustained-Yield Act of 1960 (16 U.S.C. 528 et seq.).

(7) Any compact, executive agreement, convention, treaty, and international agreement, and implementing legislation related thereto.

(8) All other applicable Federal environmental and natural resource laws.

(j) EXPIRATION DATE.—The authority provided by subsections (b) and (d) shall expire on December 31, 1996. The terms and conditions of this section shall continue in effect with respect to salvage timber sale contracts offered under subsection (b) and timber sale contracts offered under subsection (d) until the completion of performance of the contracts.

(k) AWARD AND RELEASE OF PREVIOUSLY OFFERED AND UNAWARDED TIMBER SALE CONTRACTS.—

(1) AWARD AND RELEASE REQUIRED.—Notwithstanding any other provision of law, within 45 days after the date of the enactment of this Act, the Secretary concerned shall act to award, release, and permit to be completed in fiscal years 1995 and 1996, with no change in originally advertised terms, volumes, and bid prices, all timber sale contracts offered or awarded before that date in any unit of the National Forest System or district of the Bureau of Land Management subject to section 318 of Public Law 101-121 (103 Stat. 746). The return of the bid bond of the high bidder shall not alter the responsibility of the Secretary concerned to comply with this paragraph.

(2) THREATENED OR ENDANGERED BIRD SPECIES.—No sale unit shall be released or completed under this subsection if any threatened or endangered bird species is known to be nesting within the acreage that is the subject of the sale unit.

(3) ALTERNATIVE OFFER IN CASE OF DELAY.—If for any reason a sale cannot be released and completed under the terms of this subsection within 45 days after the date of the enactment of this Act, the Secretary concerned shall provide the purchaser an equal volume of timber, of like kind and value, which shall be subject to the terms of the original contract and shall not count against current allowable sale quantities.

(l) EFFECT ON PLANS, POLICIES, AND ACTIVITIES.—Compliance with this section shall not require or permit any administrative action, including revisions, amendment, consultation, supplementation, or other action, in or for any land management plan, standard, guideline, policy, regional guide, or multiforest plan because of implementation or impacts, site-specific or cumulative, of activities authorized or required by this section, except that any such administrative action with respect to salvage timber sales is permitted to the extent necessary, at the sole discretion of the Secretary concerned, to meet the salvage timber sale goal specified in subsection (b)(1) of this section or to reflect the effects of the salvage program. The Secretary concerned shall not rely on salvage timber sales as the basis for administrative action limiting other multiple use activities nor be required to offer a particular salvage timber sale. No project decision shall be required to be halted or delayed by such documents or guidance, implementation, or impacts.

The 1992 Cleveland Fire

The 1992 Cleveland Fire in the southwest Lake Tahoe area of California is a good example of how expensive a wildfire can be. This fire burned 24,500 acres over four days through prime timber and recreation lands in the mixed conifer forest typical of the Sierra Nevada mountain range. Heavy fuels, built up to unnaturally high levels from 70 years of fire exclusion, bone dry from the six-year drought, and suffering from drought stress and insect and disease attack, ignited into a raging firestorm, ignoring the 5,000 firefighters there to stop it. Despite recreation values lost in this, the most expensive rural wildfire in California history, losses included:

- \$230 million -- timber value
- \$3.5 million -- 41 structures burned, mostly summer cabins
- \$1 million (est.) -- merchantable biomass
- \$7 million -- Pacific Gas and Electric aqueduct destroyed
- \$250,000 -- CalTrans equipment lost (signs, roads, etc.)
- \$175,000 -- Sacramento Municipal Utility District equipment lost
- \$200,000 -- Business interruptions
- \$200,000 -- air tanker (crashed)
- 2 lives (pilots)
- 72 firefighting injuries (costs not estimated)

The estimated total value lost was \$245 million. Just the \$16.5 million spent for suppression comes out to \$673 per acre. Assuming half of the timber value is recovered in salvage (optimistic), the loss is \$5,670 per acre. The cost of doing careful salvage in the Tahoe basin--in a similar forest type using helicopter salvage and low-impact skidders--never climbs above \$1,000/acre. In the 1992 Foothills Fire, suppression costs and emergency rehabilitation for the 140,000 acres of Boise National Forest land burned was \$24 million, or roughly \$170 per acre (Boise National Forest 1992). The cost of *precommercial* thinning the Tiger Creek area, which the fire skirted around, was only \$125/acre. *Commercial* thinning in the area returned \$30-1500/acre to the Forest Service, dependent upon fluctuations in the timber market over the past few years (Morelan 1994). Simple math shows proactive management in the form of fuel management makes much better economic sense.

Sources: Sullivan 1993; Adams 1994.

Cost-Benefit Analysis

Once the economic advantages of fire prevention are more widely known, public decisionmakers, homeowners, businesses, and the insurance industry can make well-informed decisions on investments in the land management practices that focus on prevention, as well as the appropriate policies and investments in firefighting organizations, equipment, and techniques. Thus, a major public education effort is needed in addition to a more complete cost/benefit analysis. Distribution of this information to insurance companies, private industry, homeowners in wildland areas, and policymakers at all levels could also, it appears, decrease aversion to

the use of prescribed fire and other management tools needed to reduce the risk inherent in the current wildland situations.

FIRE SUPPRESSION, TECHNOLOGY, AND RESPONSE

Improving Communications

When wildfire does strike in the urban/wildland intermix, local fire, law enforcement, and other disaster relief agencies are put to an enormous test. Unfortunately, experience has not always demonstrated a desired level of rapid deployment and

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